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January 11, 1979 to January 1, 1985

Negotiability Determinations by the Federal Labor Relations Authority (FLRA)

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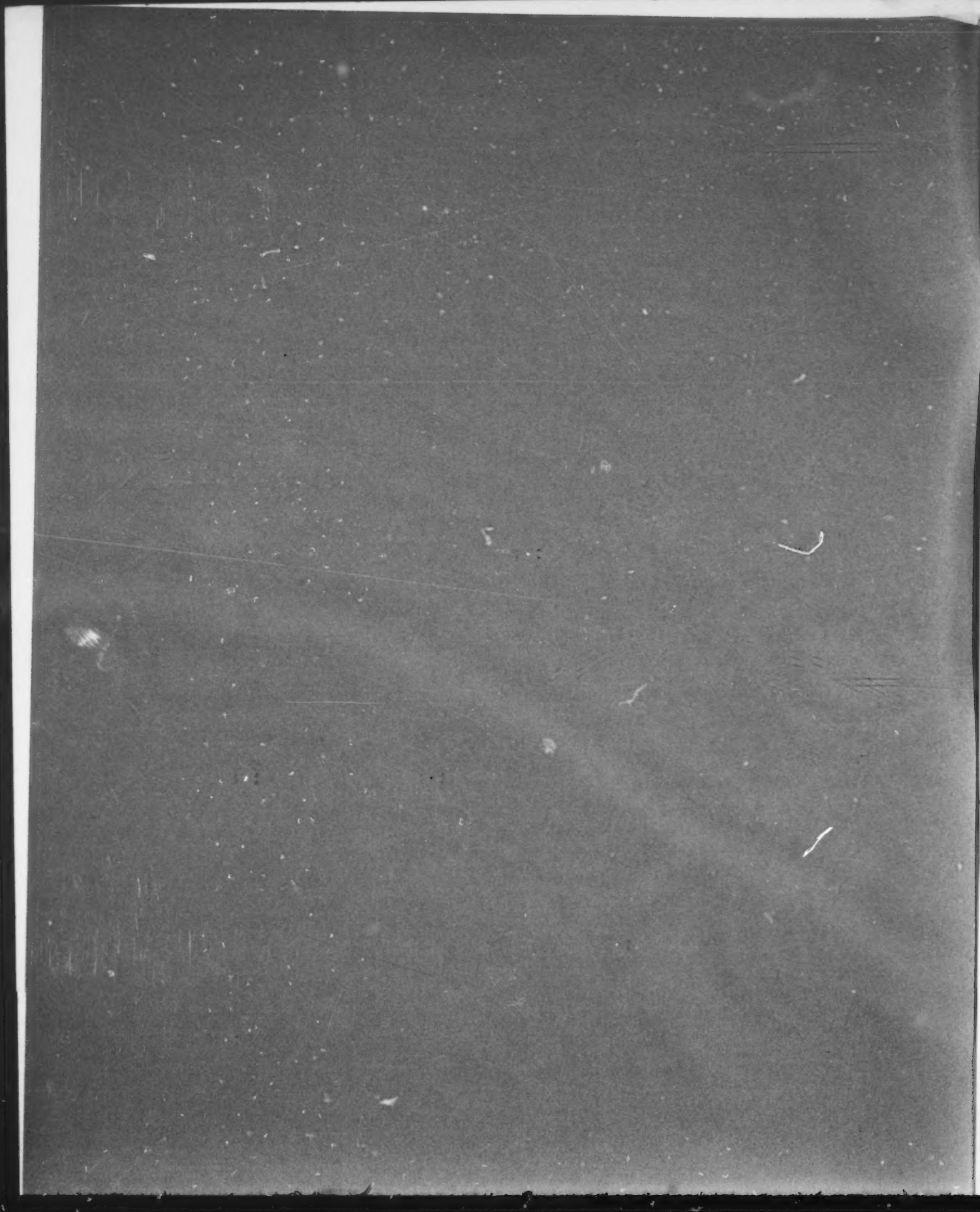

Negotiability Determinations

by

Federal Labor Relations Authority

1/11/79 - 1/1/85

This survey is intended primarily for use by negotiators and researchers who need a handy, reliable source of all FLRA decisions on negotiability of provisions/proposals arising in the process of negotiations. It is intended to provide quick information on the negotiability rulings of the Authority sufficient to provide leads for further research into relevant cases.

Five hundred and eighty-nine (589) decisions of the FLRA containing rulings on nine hundred (900) proposals (many decisions include more than one proposal) issued prior to January 1, 1985 are covered. Each proposal is described separately within subject categories generally paralleling article headings usually found in negotiated agreements. Subtopical groupings are provided as appropriate.

Following each proposal description a negotiability (N) or nonnegotiability (NN) indicator of the FLRA ruling is inserted. Also included is the citation of the FLRA decision number. Rulings that a proposal is negotiable only at the election of the agency are classified as nonnegotiable (NN).

In those instances where enforcement of an FLRA ruling has been denied or the ruling itself has been reversed in court, a citation has been included. Court affirmations have <u>not</u> been included since the ruling of FLRA in those instances still prevails.

Tables containing distributions of the case decisions according to <u>agency</u> and <u>union</u> are included.

Nothing contained, or omitted, in this report should be regarded as an attempt to interpret or evaluate these proposals. This report is intended solely to provide information.

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CHART I

NEGOTIABILITY DECISIONS BY AGENCY INVOLVED

Calendar Years

	1979	1980	1981	1982	1983	1984	TOTAL
Army	3	11	19	18	18	21	90
Navy	2	13	12	15	11	21	74
Treasury	9	12	8	15	10	8	62
Air Force	1	8	7	17	7	13	53
HHS	—	5	3	13	12	8	41
VA	1	8	3	10	12	7	41
National Guard	1	7	8	8	5	9	38
Interior	4	2	4	1	5	3	19
Justice	1	6	1	4	3	4	19
Agriculture	—	3	—	2	5	6	16
OPM	—	2	2	5	1	6	16
GSA	—	5	3	2	3	2	15
Off. of. Sec. Defense	—	—	2	1	2	5	10
Library of Congress	—	1	—	2	2	4	9
Commerce	1	1	4	—	—	2	8
Fed Deposit Insur. Corp.	—	2	2	1	1	2	8

	1979	1980	1981	1982	1983	1984	TOTAL
Transportation	—	2	3	—	1	—	6
NLRB	1	2	1	—	—	2	6
Fed. Home Loan Bank Bd	—	—	3	—	1	1	5
Defense Logistics	—	—	—	1	1	3	5
Labor	—	1	1	1	—	1	4
NASA	—	—	—	4	—	—	4
EEOC	—	2	—	1	—	—	3
Community Services Adm.	—	1	2	—	—	—	3
Nuclear Regulatory Comm.	1	—	—	—	2	—	3
Army/Air Force Exchange Serv.	1	—	—	2	—	—	3
EPA	—	—	—	—	1	2	3
HUD	—	1	—	—	—	2	3
Defense Mapping Agency	—	1	1	—	—	1	3
ACTION	—	—	—	—	1	1	2
GPO	—	—	—	2	—	—	2
FTC	—	1	1	—	—	—	2
Nat'l Science Foundation	—	1	1	—	—	—	2
Energy	—	1	—	1	—	—	2
Panama Canal Commission	—	—	—	—	2	—	2

	1979	1980	1981	1982	1983	1984	TOTAL
Defense Con. Audit Agency	—	—	1	—	—	1	2
USIA	—	—	—	—	—	1	1
Commision on Civil Rights	—	—	—	—	—	1	1
Pension Benefit Guarantee Corp.	—	—	—	1	—	—	1
SBA	—	—	1	—	—	—	1
Consumer Prod. Safety Commission	—	—	—	—	—	1	1
TOTAL	26	100	92	127	106	138	589

CHART II

NEGOTIABILITY DECISIONS BY UNION INVOLVED

Calendar Years

	1979	1980	1981	1982	1983	1984	TOTAL
AFGE	9	55	44	51	38	50	247
NFFE	4	11	17	19	27	36	114
NTEU	9	10	9	20	15	11	74
NAGE	—	4	3	8	2	9	26
ACT	1	5	3	2	2	3	16
MTC	—	2	4	2	3	5	16
IFPTE	—	—	1	4	2	4	11
AFSCME	—	—	—	2	3	6	11
IAFF	—	3	2	5	1	—	11
ANA	—	—	1	1	3	3	8
NLRBU	1	2	1	—	—	2	6
NEA	—	—	1	—	2	2	5
IBEW	—	1	—	3	—	1	5
SEIU	1	2	—	1	—	—	4
LIUNA	—	—	—	2	1	1	4

	1979	1980	1981	1982	1983	1984	TOTAL
IAM	—	—	1	1	—	1	3
PEPA	—	—	—	—	1	1	2
MMP	—	—	—	—	2	—	2
PATCO	—	2	—	—	—	—	2
NUCO	—	—	1	1	1	—	3
Columbia Police Assoc.	—	—	1	—	1	—	2
OTHERS	1	3	3	5	2	3	17
TOTAL	26	100	92	127	106	138	589

ASSIGNMENTS

PROVISIONS/PROPOSALS

A. Assignments Generally

1. Allowing employees to accept assignment from other sections and requiring that a particular person resolve work assignment disputes. Library of Congress, 3 F 117 [NN]

2. Performing certain work by a particular employee or position and approving assignments by the immediate supervisor. IRS, 7 F 35 [NN]

3. Requiring that a certain amount of time be set aside for the performance of various duties. Defense Language Institute, 7 F 114 [NN]

4. Requiring the agency to assign work based on an individual screening method and that would condition the use of another procedure on union-management agreement. SSA, 7 F 139 [NN]

5. Requiring the performance of certain work by other sections or a contractor. Vandenberg AFB, 9 F 83 [NN]

6. Prohibiting the assignment of certain duties to individual members of a specified group of employees until all employees in the group are assigned the duties. SSA, 9 F 103 [NN]

7. Requiring management to provide employees with the opportunity to under-take work assignments which enable management to evaluate the employee's ability to perform higher graded work. Customs Service, 9 F 138 [NN]

8. Prohibiting the assignment of certain duties to employees beyond a specified time limit under specified circumstances. EPA, 11 F 110 [NN]

9. Permitting employees to whom work had been assigned to delay returning to the workplace when it was the location of a fire emergency. VA, 12 F 26 [N]

10. Barring the assignment of higher level duties to employees for the convenience of the agency. DLA, 14 F 91 [NN]

11. Requiring management to provide work commensurate with employee skills and potential. Kirtland AFB, 15 F 126 [NN]

12. Relieving employees of responsibility for the accuracy the instruments used in their work. DOL, 15 F 170 [NN]

13. Establishing the order in which work will be performed once assigned. SSA, 15 F 172 [NN]

B. Assignment Specific

1. Prescibing specific duties that agency personnel shall perform in preparing manuscripts. DOA, 4 F 2 [NN]

2. Counting units of work involved in microfilm research work accomplished by employees. IRS, 7 F 35 [NN]

3. Conditioning the assignment of searching-and-locating-folders work to instances where the folders are located on employee's desks or in their backlogs. SSA, 7 F 139 [NN]

4. Establishing requirements that when a crew drops below a certain number, efforts to fill vacancies in the schedule will be made and in case of hazardous weather dismissal, minimum of four employees will be kept on duty, and limiting management's right to assign certain employees to perform other employee's work outside the basic workweek. GPO, 8 F 35 [NN]

5. Preventing management from denying an assignment to a part-time intermittent employee because the employee's aggregate salary would exceed the limit set forth in the terms of employment. National Archives and Records Service, 8 F 86 [NN]

6. Establishing firefighting, fire protection and life safety as the primary function of unit employees. Fort Polk, 8 F 89 [NN]

7. Prohibiting time limitations on the number of processes served in an hour or in a day. Marshals Service, 9 F 140 [NN]

8. Requiring ample personnel in cell blocks. Marshals Service, 9 F 140 [NN]

9. Requiring that participation in review studies will take precedence over all other duties assigned to involved employees. Fort Bliss, 9 F 145 [NN]

10. Requiring a review study by the Comptrollor when there is a redistribution or realignment of duties. Fort Bliss, 9 F 145 [NN]

11. Providing for the assignment of certain pilot control duties on the basis of seniority, which permit pilots to refuse certain assignments, and which require management to assign specific work to a specific employee or position. PCC, 11 F 29 [NN]

12. Limiting the work assigned to a called back employee to the emergency work leading to call back. Panama City Naval Coastal Systems Center, 11 F 33 [NN]

13. Preventing the assignment of specified duties to nurses except under certain circumstances. Bronx VA Medical Center, 11 F 94 [NN]

14. Making only a change in the duties of instructors of newly hired instructors. Fort Jackson, 11 F 95 [NN]

15. Deleting a proposed requirement that all graphic control operators be responsible for adherence to the operating instructions. VA, 12 F 26 [NN]

16. Requiring assigning reponsiblity for administering a test run to additional engineering personnel besides the graphic control operator. VA, 12 F 26 [NN]

17. Moving a regulatory statement of the duties of the graphic control operator from a section captioned 'Mission' to a section captioned 'Responsibilities'. VA, 12 F 26 [N]

18. Giving all engineering personnel instructions in using the telephone in the Graphic Control Room. VA, 12 F 26 [NN]

19. Requiring the agency to provide a radio to the chief of the fire fighting crew. VA, 12 F 26 [NN]

20. Eliminating the requirements that employees maintain completed logs and refrain from inserting unofficial personal comments. VA, 12 F 26 [NN]

21. Altering the time frame in which tasks were to be performed under the proposed regulations. VA, 12 F 26 [NN]

22. Establishing a procedure for controlling vessels which have no pilots on board. Panama Canal Commission, 13 F 87 [NN]

23. Governing the number of pilots assigned to vessels under certain conditions. Panama Canal Commission, 13 F 87 [NN]

24. Subjecting management's right to assign employees to licensing and physical considerations. DLA, 14 F 91 [NN]

25. Permitting the union to participate in determining when additional work could be assigned to an organizational element. Fort Bliss, 15 F 4 [NN]

26. Allowing certain employees to operate materials handling equipment only when a qualified operator is unavailable. DLA, 15 F 10 [NN]

27. Allowing a technician to remain in an incompatible military assignment for a period of up to one year after having voluntarily changed his or her civilian assignment. Kansas Army National Guard, 15 F 11 [NN]

28. Requiring the agency to assign at least three employees to a watch or to distribute among the members of the watch the pay of the missing employee(s). NOAA, 15 F 125 [NN]

29. Requiring the agency to assign auditing responsibilities to a specified employee. SSA, 15 F 172 [NN]

30. Assigning to specific employee responsibilities for counting cases at the end of each workday. SSA, 15 F 172 [NN]

C. Assignments to Bargaining Unit Employees

1. Precluding the agency from assigning cases to the designated bargaining unit employees if their case-loads were unmanageable. IRS, 6 F 97 [NN]

2. Making every reasonable effort to insure that work normally assigned to bargaining unit employees, is performed by properly qualified bargaining unit employees. FAA, 6 F 106 [N]

3. Relieving unit employees of responsibilities such as maintenance, upkeep of equipment, etc.,and removal of ice from the post except in emergency. Fort Polk, 8 F 89 [NN]

4. Preventing management from assigning work to military personnel which historically has been performed by bargaining unit employees. Aberdeen Proving Grounds, 8 F 117 [NN]

5. Preventing management from assigning unit employees to perform certain duties. Vandenberg AFB, 9 F 83 [NN]

6. Preventing management from assigning additional or incidential duties to bargaining unit employees except in special circumstances and in emergency situations. Brooklyn VA Medical Center, 14 F 62 [NN]

7. Accepting and assigning additional work to bargaining unit employees on their ability to accomplish it without overtime or the temporary augmentation of the unit workforce. Fort Bliss, 15 F 4 [NN]

D. Assignments to Non Bargaining Unit Employees

1. Requiring that the agency rescind to the extent that it affects non-bargaining unit employees any permanent reassignments made before agreement was reached on the applicable contract provisions and handle those reassignments under such provisions. Labor, 3 F 44 [NN]

2. Prohibiting the assignment of certain work to employees who do not meet certain requirements or who are outside the bargaining unit. Yuma Proving Grounds, 14 F 68 [NN]

3. Preventing the agency from making collateral duty assignment such as Motor Pool Officer to nonunit personnel. Marshals Service, 15 F 71 [NN]

E. Classification/Position Description

1. Preventing management from regularly assigning duties not reasonably related to a job description. Fort Dix, 2 F 16 [N]

2. Requiring the duties of an employee's position be modified to accommodate illness/injury. AF Contract Mgmt Div, 3 F 20 [NN]

3. Requiring work assignments be consistent with the primary function of the fire department and/or position classification standards for fire fighters, requiring assignment of duties to available employees by rotation, and prohibiting assignment of specified duties to fire fighters. Carlisle Barricks, PA, 8 F 7 [NN]

4. Probihiting the assignment of duties performed by employees in one classification series to employees in any other classification series. Lakehurst Naval Air Engineering Center, 8 F 28 [NN]

5. Requiring that assignments, "as a general matter," be consistent with grade level, position description and performance. Redstone Arsenal, 10 F 74 [N]

6. Prohibiting the assignment of work on the basis of grade or group. IRS, 13 F 9 [NN]

7. Requiring that every effort will be made to assign work appropriate to classification. DLA, 14 F 91 [N]

8. Preventing management from assigning duties to employees which are inappropriate to their positions or qualifications. Vint Hill Farms Station, 16 F 82 [NN]

F. Details/Loans/Temporary Assignments

1. Compelling the selection of a particular individual for temporary assignment to another position solely on the basis of seniority. AFLC, 2 F 77 [NN]

2. Mandating "light duty" details for employees temporarily unable to perform all the duties of their positions. AF Contract Management Division, 3 F 20 [NN]

3. Requiring management to use seniority in selecting employees to temporarily perform the duties of their positions at different duty stations. AFLC, 5 F 15 [N]

4. Requiring management to make selections for details only from rosters; giving employees the right to decline to accept details; requiring that employees be selected for details on the basis of inverse seniority; and restricting the duration of details to 60 days. Tinker AFB, 7 F 45 [NN]

5. Requiring management to establish a pool of employees for detail to higher graded, nonsupervisory positions. Tinker AFB, 7 F 45 [N]

6. Selecting supervisors will establish rosters within the lowest organizational entity in which five qualified candidates for details can be obtained. Tinker AFB, 7 F 45 [NN]

7. Requiring "loans"--i.e.,temporary performance of employees of the duties of their positions in other work areas--be made on the basis of inverse seniority. Tinker AFB, 7 F 45 [N]

8. Requiring competitive procedures for selecting employees for details of more than 60 days to higher grade positions or positions with known promotion potential. INS, 8 F 75 [N]

9. Establishing procedures for selecting employees for details to higher positions or for assignment to lower graded work which is unusually dirty or arduous, where management determines that two or more employees are equally qualified and capable. VA, National Cemetery Office, 9 F 84 [N]

10. Establishing 88 instead of 40 hours as the minumum time an employee will remain at the top of the rotation list for special details. Marshals Service, 9 F 140 [N]

11. Establishing a 48 hour notice requirement for special details. Marshals Service, 9 F 140 [N]

12. Limiting management's right to assign union officials to details, special assignments, or any other out of the district activities. Marshals Service, 9 F 140 [NN]

13. Stating that it shall not be the policy or practice to detail employees in such a manner that would discriminate against the employee's merit promotion, RIF, upward mobility, EEO, or union membership rights. National Guard, 11 F 81 [N]

14. Limiting by grade the employees that the agency will consider for details. Portsmouth Naval Shipyard, 14 F 9 [N]

15. Requiring the use of inverse seniority in temporarily assigning employees to work they do not usually perform. DLA, 14 F 91 [NN]

16. Limiting the length of temporary assignments. INS, 16 F 35 [NN]

17. Rotating details shorter than 30 calander days to positions having a higher grade or which qualifying experience among qualified employees to the fullest extent feasible. Vint Hill Farms Station, 16 F 82 [N]

G. Equitable Assignments

1. Requiring that general cleanup duties be equitably distributed. GNG, 2 F 75 [N]

2. Assigning digital ranges in an equitable manner. SSA, 7 F 139 [N]

3. Requiring that assignments shall not be made in violation of relevant law, rule and regulation. Lowry AFB, 9 F 20 [N]

H. Reassignment

1. Reassigning employees to unit positions on the basis of seniority. Labor, 3 F 44 [NN]

2. Exempting employees from the agency's reassignment policy. Defense Contract Audit Agency, 3 F 46[NN]

3. Proposing guidelines for the lateral transfer of employees. Marshalls Service, 4 F 52 [N]

4. Requiring seniority be used in making involuntary reassignments from one post of duty to another to correct staffing imbalances, where the proposal applies to situations not involving changes in duties, responsibilities or relative location within the organizational structure. IRS, 6 F 97 [N]

5. Prohibiting involuntary reassignments for reasons other than to promote the efficiency of the service. Marshals Service, 11 F 113 [N]

6. Limiting a change in duty stations to situations involving a lateral or promotional reassignment. Angeles National Forest, 12 F 114 [NN]

7. Requiring reassignments in inverse seniority order when required by a staffing imbalance. IRS, 14 F 45 [N]

8. Prohibiting management from reassigning work assigned to a position while a classification appeal concerning the position is pending. IRS, 14 F 45 [N]

9. Requiring the use of seniority when reassigning employees within the bargaining unit. Fort Bliss, 15 F 4 [NN]

10. Requiring the use of RIF procedures for reassignments not involving a RIF. Kansas City District, Corps of Engineers, 15 F 49 [NN]

11. Requiring the agency to ask for volunteers and, in the absence of enough volunteers, to use reverse seniority if it becomes necessary to reassign employees due to staffing imbalance, lack of work, shortage of funds, reorganization, or other reasons. Kansas City District, Corps of Engineers, 16 F 18 [NN]

I. Reward/Penalty

1. Prohibiting arbitrary and capricious assignments or assignment made as a reward or penalty. Marshals Service, 8 F 62 [N]

2. Prohibiting involuntary assignments to discriminate against or punish employees, or for any reason that would violate law, regulation, or the agreement. Marshals Service, 11 F 113 [N]

J. Rotation

1. Rotating supervisory duties on the basis of seniority and prescribing the duration of such assignments. AFLC, 2 F 77 [NN]

2. Rotating employees through the positions of an organizational element. Denver Mint, 3 F 7 [NN]

3. Requiring employee be rotated through the duties of his/her position. Denver Mint, 3 F 7 [NN]

4. Precluding the agency from rotating the assignments of auditors who are members of the bargaining unit. DCAA, 3 F 46 [NN]

5. Requiring rotation of certain temporary duty assignments. Fort Polk, 8 F 89 [NN]

6. Permitting local agreements covering rotation of work assignments, fair and equitable distribution of overtime and day care centers. Marshals Service, 11 F 113 [N]

K. Solitary Work

1. Preventing management from directing employees to work alone. Homestead AFB, 6 F 105 [NN]

2. Requiring employees to work in pairs. DLA, 12 F 19 [NN]

L. Supervisory/Managerial Positions

1. Limiting the assignment of the Office Manager's duties to the Clerical Assistant only to those occasions when the Office Manager is absent. NLRB, 2 F 98 [NN]

2. Barring assignment of unit work to supervisors. FAA, 6 F 106 [NN]

3. Permiting the agency to assign an employee to only one supervisor. Lakehurst Naval Air Engineering Center, 8 F 28 [NN]

4. Requiring certain employees to work under the supervision and guidance of a journeyman or a supervisory officer. INS, 8 F 75 [NN]

5. Prohibiting management from assigning supervisors to certain assignments except when qualified bargaining unit employees are not available. Food and Quality Service, 9 F 74 [NN]

6. Requiring that a specified official will respond in writing to an employee request for review of any error he receives. SSA, 9 F 142 [NN]

7. Requiring that the immediate supervisor shall be responsible for assignments and for performance appraisals. Redstone Arsenal, 10 F 74 [NN]

8. Not requiring employees to carry out tasks that are not assigned by a supervisor or management official. Marshals Service, 11 F 113 [NN]

9. Modifing the assignment of work by designating which supervisor is to receive problem calls and eliminating the mandatory nature of certain duties. VA, 12 F 26 [NN]

10. Requiring the agency to station a Canal port captain at the signal station to control the movement of all unpiloted vessels. PCC, 13 F 87 [NN]

11. Requiring the agency to station a Canal port captain at the signal station to control the movement of all unpiloted vessels. Panama Canal Commission, 13 F 87 [NN]

12. Prohibiting former pilots in management positions from working as control pilots. Panama Canal Commission, 13 F 87 [NN]

13. Requiring supervisors to perform excess work in the event of backlogs. Farmers Home Administration, 14 F 3 [NN]

14. Shifting the financial liability for errors from the certifying officer to the agency. IRS, 14 F 15 [NN]

15. Restricting the performance of bargaining unit work by temporary supervisors. NLRB, 15 F 152 [NN]

16. Requiring each employee to report to the supervisor or person in charge of the shift to which he is assigned. Navy, Patuxent River, 16 F 22 [N]

M. Training

1. Assigning job-related firefighter training. Philadelphia Naval Shipyard, 3 F 66 [NN]

2. Requiring the agency to assign telephone monitoring duties to Quality Review Personnel only if these employees have received training. IRS, 6 F 98 [NN]

3. Prescribing when firefighter training will be scheduled and barring its taking place after 2030 hours. Vandenberg AFB, 7 F 122 [NN]

4. Prohibiting the assignment of work for which they have not been trained to newly reassigned employees. OPM, 15 F 55 [NN]

N. Union Officials

1. Limiting management's right to assign union officials to details, special assignments, or any other out of district activities. Marshals Service, 9 F 140 [NN]

O. Volunteer(s)/Option

1. Providing criteria for the agency's approval of employees's requests to work from their homes under certain circumstances. IRS, 1 F 102 [N]

2. Giving employees the option of deciding on what basis their work would be assigned. SSA, 7 F 139 [NN]

3. Providing certain assignments will be made using volunteers or, in the absence of volunteers, seniority, and permiting employees to switch assignments without management approval. Marshals Service, 8 F 62 [NN]

4. Allowing employees to choose to work as partners if they desire as long as they get their job done satisfactory to management. Marshals Service, 9 F 140 [NN]

5. Format whereby employees can indicate an interest in overtime assignments where management isn't required to assign overtime on the basis of those employee preferences. Marshals Service, 9 F 140 [N]

6. Requiring management to allow employees to volunteer for certain assignments without requiring management to select volunteers before selecting nonvolunteers. HHS, 11 F 103 [N]

7. Requiring management to consider and grant requests for assignment to prime shifts from employees assigned to second and third shifts under certain circumstances. IRS, 14 F 45 [N]

8. Requiring the agency to solicit volunteers among all qualified claims representatives before assigning people to the overpayment unit. SSA, 15 F 114 [N]

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COMPENSATION

PROVISIONS/PROPOSALS

A. Insurance/Pension

1. Requiring life insurance at no cost to employees, employer-paid medical and dental insurance, and long term disability income protection. Fort Bragg, 12 F 100 [NN]

2. Requiring agency paid life insurance. Panama Canal Commission, 13 F 87 [NN]

3. Allowing newly recruited pilots, including those who are not citizens, to elect or continue coverage under the M. M. & P. Offshore Pension Plan. Panama Canal Commission, 13 F 87 [NN]

B. Incentive Pay

1. Setting the rate of incentive pay and permitting incentive pay for time an employee is taking paid leave. IRS, 14 F 77 [NN]

C. Meals

1. Providing for a free meal not to exceed a specified price to be given to food service workers. Keesler AFB, 10 F 19 [N]

2. Giving employees who work more than two hours after normal quitting time a hot meal to be eaten on the employer's time, a meal ticket, or one hour straight time pay. Yuma Proving Ground, 14 F 68 [NN]

D. Pay Rates

1. Establishing a "tip offset" at 10% for nonappropriated fund employees. Warner Robins AFB, 8 F 116 [N]

2. Establishing salary setting pratices. PBGC, 9 F 82 [NN]

3. Specifying the rates of overtime pay to be paid under certain conditions. Corps of Engineer, Nashville, 10 F 43 [NN]

4. Requiring an agency to exercise its discretion in setting the rate of pay of reemployed former employees in a fair and equitable manner. Portsmouth Naval Shipyard, 11 F 31 [N]

5. Designating certain positions as special assignment positions which warrant additional compensation. National Capitol Region, 11 F 99 [NN]

6. Seeking to establish rates of pay and fringe benefits for employees of the Fort Bragg Dependents Schools. Fort Bragg, 12 F 100 [N]

7. Providing a 10% pay increase for bonus pay for weekend or holiday work. Panama Canal Commission, 13 F 87 [NN]

8. Requiring the agency to pay employees who do not take "home leave" to which they are entitled an amount equal to what they would have received has they taken the leave. Panama Canal Commission, 13 F 87 [NN]

9. Increasing tropical pay differential to 25%, exclusive of grade ceilings as provided by the Panama Canal Treaty. Panama Canal Commission, 13 F 87 [N]

10. Requiring pilots to proceed outside the Cristobal breakwater for the purpose of boarding a vessel only in an emergency and that the pilot shall be compensated $500 for doing so. Panama Canal Commission, 13 F 87 [NN]

11. Requiring the agency to pay pilots terminated because of disability (and dependents of pilots who die) regular pay through the end of the pay period following the one in which the employee is terminated or dies. Panama Canal Commission, 13 F 87 [NN]

12. Requiring that pay, deducted from a pilot's pay to conform to the Federal wage ceiling, shall be credited to a special leave account. Panama Canal Commission, 13 F 87 [N]

13. Adjusting the pay of unit employees by a cost-of-living/comparability factor to be determined by the President of the Pay Advisory Council. FDIC, 14 F 84 [NN]

14. Establishing a committee to monitor the impact of the proposed negotiated salary adjustment system. FDIC, 14 F 84 [NN]

15. Establishing a salary adjustment system for bargaining unit employees different from that established under the Board resolutions. FDIC, 14 F 84 [NN]

16. Requiring management to exercise its discretion to set pay rates in a fair manner for rehired employees. Portsmouth Naval Shipyard, 15 F 153 [N]

E. Wage Survey

1. Requiring data for the Administrative support and Patron Services surveys will be collected by joint union-management teams, as in Crafts and Trades data, and will be presented to the Local Wage Survey Committee. Marine Corps, Quantico, 2 F 58 [N]

2. Requiring the union the right to select the union representatives who would participate in a wage survey. Pennsylvania National Guard, 7 F 52 [NN]

G. Miscellaneous

1. Paying mileage from residence to duty station other than employee's headquarters. Food Safety and Quality Service, 8 F 25 [N]

2. Requiring a guarantee of sufficient funds to pay transferred employees for five years. GSA, 9 F 108 [NN]

3. Requiring the agency to pay various license, inspection or registration fees, such as those for vehicles and trailers. Panama Canal Commission, 13 F 87 [NN]

4. Requiring holiday pay and sick leave for temporary employees who are outside the bargaining unit. DLA, 14 F 91 [NN]

5. Requiring the agency to give newly hired employees the option of selecting either direct mail or hand delivery of their pay. Mare Island Naval Shipyard, 16 F 88 [NN]

6. Requiring the agency to give newly hired employees the option of selecting either direct mail or hand delivery of their pay. Navy Commissary Store, Alameda, 16 F 89 [NN]

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CONTRACTING-OUT

PROVISIONS/PROPOSALS

A. Arrangements/Adverse Impact

1. Requiring management, when it decides to contract out work, to minimize adverse impact by "considering" attrition patterns and restrictions on new hires. Homestead AFB, 6 F 105 [N]

2. Requiring a statement concerning arrangements to minimize impact on employees such as reassignment, retraining career employees and restricting new hires in the notice to the union of proposals to contract out. Aberdeen Proving Ground, 8 F 117 [NN]

3. Calling a meeting to discuss, among other topics, how to minimize any effects on employees of reassignment or restriction of contractual labor. Aberdeen Proving Ground, 8 F 117 [N]

4. Requiring management to take all possible actions to minimize the impact on employees when a function is contracted out by reassigning affected employees to the extent possible and by providing for maximum retention of career employees through considering attrition patterns and restricting new hires. Aberdeen Proving Ground, 8 F 117 [N]

5. Requiring management to negotiate the effect of certain contracting out decisions and to eliminate or minimize any potential adverse effect through reassignment or training and to take whatever other action may be necessary to protect bargaining unit employees. EEOC, 10 F 1 [NN]

B. Notification/Information

1. Requiring union access to milestone charts and pre-bid and bid-opening conferences. Homestead AFB, 6 F 105 [NN]

2. Requiring that milestones charts related to review or feasibility studies for contracting out of work will be made available to the union. Aberdeen Proving Ground, 8 F 117 [NN]

3. Requiring that management notify the union of its intention to solicit bids for contract work which could result in a RIF or transfer or abolition of function affecting employees in the unit, with a full explanation of the reasons for such actions and give the union sufficient opportunity to respond in writing. EEOC, 10 F 1 [N]

4. Requiring the agency to notify the union of contracting out pre-bid and bid-opening conferences and allowing the union to attend those conferences. Defense Language Institute, 14 F 101 [N]

C. Compliance with OMB Circular and Agency Regulations

1. Reiterating the restrictions contained in OMB Circular No. A-76 which prescribes general policies for contracting out. Homestead AFB, 6 F 105 [NN]

2. Requiring management to comply with OMB Circular A-76 and other applicable laws and regulations concerning contracting out. EEOC, 10 F 1 [N]

3. Requiring the agency to correct data in the in-house cost estimate when the union demonstrates it is not prepared in accordance with the existing directives. Defense Language Institute, 14 F 101 [N]

4. Requiring the agency to make contracting out determinations in conformity with whatever applicable law or regulations exist at the time of action. Redstone Arsenal, 15 F 59 [N]

D. Stays/Grievances

1. Subjecting management's contracting out determinations to challenge under the negotiated grievance procedure. NSF, 6 F 114 [NN]

2. Delaying contract awards until all grievance procedures are exhausted if there is a dispute over agreement provisions concerning impact and implementation of the contracting-out decisions. Wurtsmith AFB, 14 F 55 [N]

E. A-76 Scope and Process

1. Prohibiting the contracting out of normal services that are deemed "mission/emergency essential" by the employer. Homestead AFB, 6 F 105 [NN]

2. Preventing management from contracting out work when it can be shown that the work can more economically and efficiently be performed in-house. Homestead AFB, 6 F 105 [NN]

3. Defining the scope of the agency's contracting out circular and requiring the preparation, maintenance and review of agency contracting out records. NSF, 6 F 114 [NN]

4. Preventing management from contracting out work when it can be shown that the work can more economically and efficiently be performed in-house. Aberdeen Proving Ground, 8 F 117 [NN]

5. Restricting how a cost study, used in determining whether to contract out, could be conducted. Wurtsmith AFB, 14 F 55 [NN]

6. Giving the union a seat on a steering committee established to determine the feasibility of contracting out agency functions. Navy, 14 F 95 [NN]

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DISCIPLINE

PROVISIONS/PROPOSALS

A. Procedures

1. Establishing the following procedures for use at the union's election when an employee receives a letter proposing a suspension of more than 14 days, demotion, removal, or similar action. First, the employee may elect to answer orally and/or in writing and is entitled to be represented by the union, an attorney or other representative of his choice. If the employee does not elect the first option he may, through the union, request fact-finding to be conducted by an arbitrator which will involve an expedited hearing. The fact-finder will present a statement of facts and recommendations to the head of the agency who must make the final decision within two weeks. The employee may appeal the final decision to the MSPB or raise the issue under the negotiated procedure. GPO, 10 F 76 [N]

2. Requiring that employees who accept assistance for a drug/alcohol problem will be given a reasonable opportunity to improve their performance before being subject to adverse action. LOC, 11 F 109 [N]

3. Establishing terms and conditions for the removal of probationary employees. Fort Knox, 16 F 6 [NN]

4. Requiring the agency to note on the SF 50 reasons for removal. Fort Knox, 16 F 6 [NN]

B. Representation

1. Granting to employees certain procedures, privileges and obligations in relation to an interrogation which may result in disciplinary action against them and the manner in which employees will be advised. IRS, 8 F 27 [N]. Enforcement denied and remanded to FLRA, IRS v. FLRA, 707 F.2d 574 (D.C. Cir. 1983).

2. Giving unit employees the right to representation in meetings involving discipline where the Statute does not establish the right to representation, and which requires the employee to be notified of the negotiated right before questioning begins. INS, 8 F 75 [N]

3. Delaying an investigatory interview for no more than two workdays so that representation can be arranged. INS, 8 F 75 [N]

4. Affording employee representation before giving required written statement which could result in disciplinary action. INS, 8 F 75 [N]

C. Right to Remain Silent

1. Requiring a supervisor to inform the employee, in the context of an investigatory discussion which may lead to disciplinary action, that the employee has the right to remain silent and to refuse to give a written statement. Navy Public Works Center, Pearl Harbor, 4 F 32 [N]. Reversed in Navy Public Works Center, 678 F.2d 97 (9th Cir. 1982).

2. Requiring employee to be apprised of certain rights, i.e., the right to representation and the right to remain silent when being interviewed regarding possible criminal misconduct; the right to be apprised that the failure or refusal to answer questions in criminal investigations may result in disciplinary action; and the right to be apprised that a false answer may result in criminal prosecution. Customs Service, 9 F 138 [N]

3. Giving an employee the right to remain silent in any discussion the employee believes might result in action against him. Navy Public Works Center, Norfolk, 15 F 73 [NN]

4. Giving employees the right to remain silent in interviews from which they believe disciplinary actions may result. USIA, 16 F 48 [NN]

D. Standards for Action & Penalty

1. Prohibiting any action against an employee for indebtedness unless ordered by a court. Redstone Arsenal, 10 F 74 [NN]

2. Allowing for separation from technician employment only for just cause. Air National Guard, 11 F 88 [NN]

3. Preventing the removal of a civilian technician from civilian employment when the technician is separated from the National Guard or ceases to hold the military grade specified for his position. Montana Air National Guard, 11 F 88 [NN]

E. Stay of Discipline

1. Staying grieved suspensions and removals until a final determination is rendered. Dix-McGuire, 2 F 16 [N]

2. Staying grieved suspensions and removals until a final determination is rendered. Customs, 2 F 15 [N]

3. Staying a pending or proposed personnel action which has been made the subject of a grievance or arbitration pending the final decision. Tampa VA, 4 F 50 [N]

4. Staying a pending or proposed personnel action which has been made the subject of a grievance or arbitration pending the final decision. Indiana Air National Guard, 8 F 2 [N]

5. Prohibiting management from disciplining an employee as long as the employee is an active participant in a recognized drug/ alcoholism program and staying disciplinary action if the employee enters such a program. IRS, 6 F 98 [NN]

6. Staying disciplinary actions, adverse actions, or actions based on unacceptable performance pending the outcome of an appeal to the MSPB or a grievance under the negotiated procedures. Customs Service, 9 F 70 [NN]. Reversed in NTEU v. FLRA, 712 F.2d 669 (D.C. Cir. 1983).

7. Staying actions pending an appeal to MSPB. VA Office, St. Louis, 9 F 86 [NN]

F. Supervisors (Management Officials)

1. Prohibiting an untrained supervisor from taking disciplinary action. EEOC, 3 F 80 [NN]

2. Disciplining management officials and supervisors. Scott,AFB, 7 F 110 [NN]

3. Disciplining management officials who exhibit anti-union animus. Naval Base, Philadelphia, 15 F 9 [NN]

G. Union Officials

1. Requiring management to obtain a ruling from the FLRA prior to taking disciplinary actions against union officials for engaging in any union activity. SSA, 8 F 85 [NN]

2. Requiring management, before disciplining a union representative for engaging in any union activity, to meet with the official and, if no resolution results, to meet with the Local President. SSA, 8 F 85 [N]

H. Miscellaneous

1. Requiring that an inspector must give employees certain advice prior to an investigatory interview which may result in disciplinary action against them. IRS, 8 F 27 [N]

2. Modifing an existing agency bulletin concerning the reporting of medication "incidents" and "errors" by establishing to whom the errors are reported and the actions to be taken by those officials, and by defining levels of errors, thereby eliminating some from coverage by disciplinary actions. VA Medical Center, Waco, 9 F 85 [NN]

3. Providing for union appointed members on a board which judges allegations of traffic violations. Army Garrison, Korea, 15 F 25 [NN]

4. Prohibiting the agency from deducting wages as a fine for misconduct. NOAA, 15 F 125 [NN]

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EMPLOYEE STANDARDS OF CONDUCT

PROVISION/PROPOSALS

A. Standards of Conduct

1. Requiring the agency to negotiate language of appropriate standards of ethical and other employee conduct within the agency before submitting them to OPM for approval. IRS, 6 F 98 [N]

2. Establishing rules of employee responsibility and conduct. Food Safety and Quality Service, 9 F 74 [N]

B. Outside Employment

1. Establishing the criteria to be used in determining whether to approve or disapprove applications for outside employment. IRS, 3 F 112 [N]

2. Requiring that outside employment will be consistent with Federal rules and regulations. SBA, 6 F 65 [N]

3. Protecting employees, who nevertheless request and are granted approval by the agency, from having the agency initiate adverse action proceedings, if it subsequently disapproves of the outside employment, without advance notice to the employee. FDIC, 14 F 84 [N]

C. Miscellaneous

1. Permitting an employee to eat at his or her work station regardless of the presence of archival materials, as long as those materials are not in actual danger. National Archives and Records Service, 6 F 91 [NN]

2. Limiting number of loans from agency-regulated financial institutions and not restricting the number of such loans which could be obtained by agency employees. FHLBB, 7 F 58 [N]

3. Requiring that employees eat their meals at their work site while performing their duties. VA, 12 F 26 [NN]

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EMPLOYER RIGHTS

PROVISIONS/PROPOSALS

A. Mission

1. Moving the "Mission" statement of the work unit contained in the agency regulations to the section entitled "Responsibilities". VA, 12 F 26 [N]

B. Organization

1. Prescribing the numbers of sections a division shall have determines the agency's organization. Library of Congress, 3 F 117 [NN]

2. Limiting the number of civilian positions in any organizational unit which could be converted to positions occupied by military personnel and thus require management to conform to a certain organizational structure and/or to organize its workforce in a contractually prescribed manner. Army, 98th Division (Training), 11 F 42 [NN]

C. Necessary actions in emergencies

1. Requiring that a specific agency official verify and declare that an emergency exists before management can take necessary actions during emergencies. PAG, 7 F 52 [NN]

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EQUAL EMPLOYMENT OPPORTUNITY

PROVISIONS/PROPOSALS

A. Affirmative Action

1. Requiring the agency to fill certain percentages of vacancies as upward mobility positions. IRS, 2 F 33 [NN]

2. Requiring the agency to announce certain percentages of the total available vacancies in each appointing office as upward mobility positions. IRS, 2 F 33 [N]

3. Requiring negotiations to determine the number and types of vacancies to be reserved for filling through the upward mobility program each year. OPM, 8 F 97 [NN]

4. Requiring that a certain percentage of eligible employees will be involved in the upward mobility program at any one time. Bureau of Prisons, 11 F 63 [NN]

5. Permiting career or permanent technicians to train, at the first available opportunity, for future vacancies in the Upward Mobility Program. Division of Military and Naval Affairs, Albany, 11 F 81 [NN]

6. Requiring that a minimum of 15 employees under an affirmative action program will be detailed to positions involving managerial duties. Library of Congress, 12 F 70 [NN]

B. Counselors

1. Requiring an agency to select some of its EEO Counselors from a list furnished by the union. AFLC, 2 F 77 [NN]

2. Requiring the agency to appoint and train an EEO counselor nominated by the union. Mather AFB, 8 F 37 [NN]

C. Goals

1. Setting FEORP goals based on the percentage that the minority group constitutes in the local or national population. GSA, Archives, 3 F 96 [N]

D. Requirement to Develop Plans

1. Establishing comprehensive EEO programs at the command and installation levels, that establish guidelines for the development of affirmative actions plans. AFLC, 2 F 77 [N]

E. Miscellaneous

1. Prohibiting discrimination on the basis of conduct which does not adversely affect performance. Redstone Arsenal, 10 F 74 [N]

2. Requiring equal employment opportunity for the workforce at all levels. Kirtland AFB, 15 F 126 [N]

3. Providing for union representation on selection panels for upward mobility and merit promotion. Vandenberg AFB, 15 F 154 [NN]

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FACILITIES,EQUIPMENT & SERVICES

PROVISIONS/PROPOSALS

A. Cafeteria/Snack Bar

1. Requiring that management take whatever action it can to ensure that prices in the employee's cafereria do not rise faster than the income of employees and post on the bulletin board outside the cafeteria a statement of the percentage increase in prices, month by month and cumulative for the year. OPM, 8 F 87 [N]

2. Providing that management and the union will cooperate in the continuing effort to establish and maintain equity in prices and quality of services at the snack bar. Mint, 9 F 102 [N]

3. Requiring the agency to furnish food workers meals valued at a price higher than provided by agency policy. Fort Lewis, 10 F 19 [N]

4. Requiring the agency to provide adequate space for employees to store, prepare and eat their lunches. SSA, 16 F 14 [N]

5. Providing a refrigerator, a stove and/or microwave oven, eating utensils, a telephone, a coffeemaker or dispensing machines, and a sink and/or dishwasher. SSA, 16 F 14 [N]

B. Commissary

1. Eliminating limits placed on commissary, exchange and other purchases. Yongsan Garrison, 4 F 23 [N]

2. Granting all pilots and their families military commissary and related privileges. Panama Canal Commission, 13 F 87 [NN]

3. Permitting commissary employees who are entitled to commissary privileges to purchase food items for other commissary employees. Scott AFB, 16 F 57 [NN]

C. Day Care Center

1. Providing for space and facilities for union-operated day care centers. AFLC, 2 F 77 [N]

2. Requiring the agency to seek authorization and funds to provide free day care centers. OPM, 6 F 76 [N]

D. Equipment/Facilities

1. Permitting employees to use privately owned weapons. Marshals Service, 4 F 52 [NN]

2. Requiring that the gun range will be open for practice and qualifying in the evenings and on Saturdays. Marshals Service, 9 F 140 [N]

3. Requiring the agency to hire qualified readers for the blind, to provide taped documents for the blind and to provide teletypewriters for deaf employees. Redstone Arsenal, 10 F 74 [NN]

4. Requiring the agency to issue certain employees calculators. SSA, 13 F 73 [NN]

5. Requiring management to provide housing, including telephone and utilities, free for all pilots and their families. Panama Canal, 13 F 87 [NN]

6. Requiring the use of seniority to decide which employee will have use of equipment when more than one needs to use the same equipment. DLA, 14 F 91 [NN]

E. Office/Work Space

1. Requiring the agency to to provide secure storage areas for private weapons. INS, 4 F 25 [NN]

2. Requiring that employees would not be required to work in, on, or around aircraft or equipment not completely sheltered in buildings or hangers and that no employee, when required to work in an area identified as a potentially hazardous area, or as a poor environmental area, shall be directed to work alone. Homestead AFB, 6 F 105 [NN]

3. Providing each employee with at least as much bookshelf and file cabinet space as that employee currently possesses. Library of Congress, 7 F 89 [N]

4. Requiring that an employee's work or working conditions will not be negatively impacted by the Library's choice of equipment or facilities. Library of Congress, 7 F 89 [NN]

5. Requiring that an employee's work or working conditions will not be negatively impacted by the Library's choice of office size. Library of Congress, 7 F 89 [N]

6. Requiring that to insure quiet and efficient working conditions each employee's work station in open areas will be separated by padded, nonflammable partitions. Library of Congress, 7 F 89 [N]

7. Requiring the agency equip individual offices with doors or all two-person offices with floor to ceiling partitions and provide shower and locker facilities. Library of Congress, 7 F 89 [N]

4. Establishing the characteristics of partitions to be used in implementing an open space design adopted by the agency, which requires the installation of sound system, accoustical carpeting, and desk lamps and which requires that meetings will be held in closed offices or conference rooms. IRS, 8 F 38 [N]

5. Separating employees work stations in open areas by padded partitions. Labor, 15 F 170 [N]

F. Parking

1. Requiring management to provide free parking. IRS, 3 F 118 [NN]

2. Requiring the agency to retain spaces for commuter parking IRS, 3 F 118 [N]

3. Allocating reserved parking spacies. GSA, 7 F 79 [NN]

4. Providing that reserved parking will be allocated solely on EPA mileage rating of the automobile involved. IRS, 8 F 8 [NN]

5. Requiring that penalities imposed by the car pooling committee regarding the suspension of parking privileges will first be discussed with the union . IRS, 8 F 8 [N]

6. Designating certain parking facilities for use by the hospital clientele. Truman VA, 9 F 141 [NN]

7. Involving the construction of entrance and exist gates to the parking lot. Truman VA, 9 F 141 [N]

G. Recreational Facilities

1. Allowing off-duty bargaining unit employees and their dependents to hunt and fish on the AFB, in accordance with California State Regulations. Vandenburg AFB, 7 F 18 [NN]

2. Providing access by bargaining unit members to the picnic area and recreational facilities. Army, 11 F 108 [NN]

H. Telephone

1. Giving the union access to a nationwide telephone system. AFLC, 2 F 77 [N]

2. Implementing the agency system of monitoring the work related telephone conversations of employees. IRS, 6 F 98 [NN]

3. Requiring that the taxpayer will be notified at the beginning of the conversation that the call is subject to monitoring. IRS, 6 F 98 [NN]

4. Requiring the agency to situate employees so as to minimize their being distracted by telephone calls and would require the agency to make changes in the building to conform to certain fire safety requirements. Library of Congress, 7 F 89 [N]

5. Requiring that managment make available to the union negotiating team the use of its Federal Telecommunication System facilities during negotiations of grounds rules and a collective bargaining agreement only in relation to the official business of collective bargaining. Agriculture, 11 F 30 [N]

6. Requiring that each examiner shall have his own phone. SSA, 11 F 93 [NN]

7. Allowing engineering personnel to use the telephone to make personal emergency calls. VA, 12 F 26 [N]

8. Furnishing sufficient telephones "for the conduct of Government business". Labor, 15 F 170 [NN]

9. Entitling employees on detail to one 15 minute long-distance phone call a week to his/her family. INS, 16 F 35 [NN]

I. Travel/Transportation

1. Permitting an employee, permanently authorized to take a government vehicle back and forth to his home, to form a car pool with other deputies. Marshals Service, 9 F 140 [N]

2. Requiring a daily shuttle bus service at regularly scheduled intervals between the main building of the Department of Justice and the new location of the Board of Immigration Appeals. Justice, 10 F 17 [N]

3. Assuring that when civilian technicians are traveling they are assigned quarters based on their civilian grade rather than their military grade. National Guard, 13 F 37 [NN]

4. Concerning the use of official vehicles or reimbursement for travel to and from restaurants. San Dimas Equipment Center, 16 F 60 [NN]

J. Uniforms

1. Permiting the voluntary participation of employees in wearing of nameplates during a test program. Customs Service, 2 F 30 [NN]

2. Dealing with: whether employees who participate in the six month experiment may choose the form their names will take on the nameplate; upon the conclusion of the six month experiment, the union and management will meet to evaluate the results; allow the employees involved time to have their names deleted from the local telephone directories before the nameplate test program could be put into effect; any mandatory use of name tags to include only the first name and last initial; and giving employees the option of using a pseudonym on the nameplate. Customs Service, 2 F 30 [N]

3. Requiring that uniformed personnel performing vehicle inspections be excluded from wearing hats. Customs Service, 8 F 1 [NN]

4. Providing that in addition to other insignia or a badge already provided, uniformed employees may be issued an identification plate showing, among other things, an official emblem and a number for identification purposes and that employees' names will not be required on identification plates to avoid abuse of the employee's privacy and to avoid harrassment. INS, 8 F 75 [N]

5. Prohibiting the agency from requiring employees to wear uniforms while in a civilian status. National Guard, 11 F 81 [N]

6. Wearing of military uniforms while technicians are performing technician duties. Wisconsin Army National Guard, 15 F 94 [NN]

K. Miscellaneous

1. Giving the union the right to distribute "announcement cards" without charge to leave. IRS, 6 F 97 [N]

2. Requiring that prior to the beginning of the move of any employees, the first aid facilities in the Madison Building will be fully operational during the hours when employees are at work. Library of Congress, 7 F 89 [N]

3. Prohibiting the dispensation of alcoholic beverages only to persons on duty by membership associations of nonappropriated fund instrumentalities, as opposed to prohibiting the dispensation of such beverages to all employees during duty hours regardless of whether or not an employee is on duty. Army, 12 F 125 [NN]

4. Permitting off duty employees to drink alcoholic beverages in membership associations. Army Garrison, Yongsan, 12 F 131 [NN]

5. Requiring that employees on temporary duty in technician status shall be assigned quarters based on civilian grade. National Guard, 15 F 58 [NN]

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FILLING VACANCIES/PROMOTIONS

PROVISIONS/PROPOSALS

A. Area of consideration

1. Requiring management to first consider and exhaust minimum area of consideration before expanding search or making selections from other appropriate sources. Va, Perry Point, 2 F 59 [N]

2. Defining the initial area of consideration and establishing a procedure for expanding it. DNG, 3 F 9 [N]

3. Prohibiting management from extending the area of consideration if it yields five qualified candidates. CSA, 3 F 13 [NN]

4. Limiting the consideration of outside applicants to instances where there are fewer than three minimally qualified internal candidates and when a Qualification Screening Committee detemines that there are no qualified candidates among the applicants. Navy Exchange, Naval Administrative Command, Orlando, 3 F 60 [NN]

5. Defining the initial area of consideration for candidates under the agency merit placement plan and for the expansion of the area of consideration. National Guard, 4 F 10 [N]

6. Preventing the agency from expanding the area of consideration if it yields a single highly qualified, available candidate. Army Material Development and Readiness Command, 6 F 66 [NN]

7. Barring the expansion of the initial area of consideration if it yields 3 or more highly qualified employees. Bremerton Strategic Weapons Facility, 7 F 90 [NN]

8. Barring acceptance of applications for upward mobility positions from outside the area of consideration. HHS, 7 F 115 [NN]

9. Preventing an agency from expanding the area of consideration or making a selection from any other appropriate source if three "highly qualified" candidates are identified under the negotiated merit promotion procedure. VA, 8 F 91 [NN]

10. Preventing expansion of the minimum area of consideration for promotion and placement actions where agency finds that the minimum area yields 3-5 highly qualified candidates. Rock Island Arsenal, 11 F 38 [NN]

11. Barring solicitation and consideration of non-agency candidates if there are more than 3 qualified in-house candidates. Action, 12 F 128 [NN]

12. Precluding management from extending the area of consideration for promotion where three or more candidates within the area are rated highly qualified. Kirtland AFB, 15 F 126 [NN]

13. Prohibiting the agency from expanding the area of consideration or seeking applicants from other sources as long as there are local qualified applicants. Scott AFB, 16 F 59 [NN]

B. Committee/Panel

1. Assigning management representatives to rating and ranking panels. Louisiana Air National Guard, 9 F 19 [NN]

2. Establishing the membership of a selecting panel for selecting candidates for vacancies . Indianapolis, VA Regional Office, 9 F 105 [NN]

3. Providing for a joint committee which provides for union participation in the decision making process whereby the agency determines the knowledges, skills, and abilities used in merit promotions. Lowry AFB, 11 F 92 [NN]

4. Establishing a joint union-management committee to develop a promotion evaluation plan including selective factors. Kessler AFB, 12 F 41 [NN]

5. Providing for a union member on a promotion rating panel which develops selective factors to be used in a merit promotion plan or rating schedule. VA, 13 F 91 [NN]

6. Giving the union-management panel authority to review ratings for appropriateness. Keesler AFB, 16 F 49 [NN]

C. Competitive Procedures

1. Requiring management to announce vacancies for which unit employees are eligible to apply, but not requiring management to consider or to select unit applicants. Marshals Service, 2 F 96 [N]

2. Requiring that management use the competitive procedures of the agency's merit promotion plan in filling supervisory and management position with bargaining unit employees. Labor, 3 F 44 [NN]

3. Requiring that competitive procedures be used when considering non-unit employees, new hires and other sources for filling vacancies. IRS, 7 F 42 [N]

4. Exempting voluntary reassignments to lower grade positions from the competitive procedures of the merit promotion program. AFLC, 11 F 50 [NN]

5. Requiring the preparation of a promotion roster within ten work days after the personnel office receives the request to fill the position when the vacancy is to be filled by promotion. Lowry AFB, 11 F 92 [N]

6. Allowing employees to see records used by the promotion panel if the employees were referred to the panel but not selected. VA, 13 F 91 [NN]

7. Requiring the announcement of certain vacancies for competitive selection. IRS, 15 F 157 [N]

D. Crediting Plan

1. Using crediting plans to rank candidates for merit promotion referral. Customs Service, 11 F 47 [N] Enforcement denied and remanded to FLRA, Customs Service, Region II v. FLRA, 739 F.2nd 829 (2d. Cir. 1984).

2. Establishing the factors and weights to be used in evaluating applicants for promotion in filling unit positions. Philadelphia Naval Shipyard, 3 F 66 [N]

3. Prescribing the rating schedule to be used in connection with merit promotion procedures. HHS, 5 F 93 [N]

4. Prohibiting Skill, Knowledge, Aptitude, and Personal Characteristics (SKAP) codes to be used as qualification requirements. Army Material Development and Readiness Command, 6 F 66 [N]

5. Requiring that all candidates for unit vacancies, including those from OPM registers, be subjected to a negotiated procedure for rating, ranking, and evaluating candidates. Mil. Traf. Mgmt Command, 6 F 96 [N]

6. Establishing a procedure for crediting seniority in ranking candidates for excepted technician positions. National Guard, 7 F 52 [NN]

7. Dealing with the ranking of candidates for excepted technician positions and which provides that candidates will receive one point for each two years of service. PAG, 7 F 52 [N]

8. Using crediting plans to rank candidates for merit promotion referral. Customs Service, 11 F 52 [N]

9. Establishing a procedure for crediting education and ranking candidates. Lowry AFB, 11 F 92 [N]

10. Identifing selective factors to be used in determining the best qualified candidates. Lowry AFB, 11 F 92 [NN]

11. Limiting management to using only knowledges and skills which normally can be acquired only by working in the agency when establishing qualification requirements for positions. IRS, 15 F 177 [NN]

12. Probibiting the establishment of qualification requirements for promotion which cannot be satisfied by skills and knowledges normally acquired with the agency. Plum Island Disease Center, 16 F 114 [NN]

E. Limitations on Selection

1. Using full-time employees to the fullest extent possible and using part-time employees only when it is not practical or prudent to use full-time employees. Warner Robins AFB, 8 F 116 [N] Enforcement denied in Warner Robins AFB v. FLRA, 727 F.2d 1502 (11th Cir. 1984)

2. Requiring management to give first consideration, when it reestablishes a position, to the employee who has been reassigned from the position when it was previously abolished. Customs, 2 F 8 [N]

3. Requiring management to select one of five qualified "in-house" applicants from within the minimum area of consideration. CSA, 3 F 13 [NN]

4. Requiring the consideration in filling vacancies be given first to bargaining unit employees. DMA, 4 F 33 [NN]

5. Requiring that the agency "except for good cause" would repromote a repromotion eligible at the first opportunity. Bureau of the Census, 6 F 56 [N]

6. Mandating that if the initial search within the bargaining unit locates one highly qualified candidate for a vacancy, the candidate so identified must be selected and promoted into the vacancy. Army Material Development and Readiness Command, 6 F 66 [NN]

7. Requiring that management consider certain candidates before considering others. IRS, 7 F 42 [N]

8. Requiring management to select repromotion eligibles in retention order as vacancies occur. Naval Supply Center, Oakland, 8 F 6 [NN]

9. Establishing seniority as a basis for noncompetitive assigning to vacancies employees whose positions have been targeted for downgrading or cancellation and which permit the employees to choose the position they want when more than one vacancy exists. AFLC, 8 F 92 [NN]

10. Requiring selection within two weeks of the receipt of the certificate unless the vancancy is cancelled. OPM, 8 F 97 [N]

11. Requiring selection from a certificate of best qualified applicants except under certain circumstances. OPM, 8 F 97 [NN]

12. Requiring promotion of employees in a career ladder when they meet qualification standards and demonstrate the ability to perform at the higher grade. OPM, 8 F 97 [N]

13. Requiring vacancies to be filled from participants in the agency's "Classification and Placement Plan". Energy, 9 F 21 [NN]

14. Requiring management to use grade and seniority when selecting from among two or more equally qualified employees for work assignment. VA, National Cemetery Office, 9 F 84 [N]

15. Establishing procedures governing temporary promotions to supervisory for which unit employees are eligible to compete. DOL, 9 F 91 [NN]

16. Requiring an agency to offer employees, involuntarily assigned to positions having no known promotion potential, positions they formerly held before these positions can be filled by other means. Red River Army Depot, 9 F 148 [NN]

17. Requiring agency employees on an OPM certificate to be on the agency merit promotion certificate before they can be promoted. AFLC, 11 F 50 [NN]

18. Requiring that a vacant position must be filled by a bargaining unit employee. New York National Guard, 11 F 81 [NN]

19. Requiring the agency to give consideration to full time employees and to abide by merit system procedures. New York National Guard, 11 F 81 [N]

20. Mandating the selection of former employees who have been separated through a RIF when consideration for any vacancy is expanded beyond internal placement. Montana Air National Guard, 11 F 88 [NN]

21. Requiring management to promote, where a noncompetitive promotion is possible, upon the employee's certifying that he or she has met all the requirements for promotion. OPM 14 F 2 [NN]

22. Giving qualified employees first choice for new jobs. Farmers Home Administration, 14 F 3 [NN]

23. Restricting the selection official to 30 days from the of issuance of the roster to make a selection. FDIC, 14 F 84 [N]

24. Requiring the agency to consider filling 10% of its annual vacancies on a part time basis. Library of Congress, 15 F 141 [N]

25. Requiring the agency to fill vacancies on the day shift with employees on the night shift at the request of the employees. Army Adjutant General Publications, Baltimore, 16 F 54 [N]

F. Non Bargaining Unit Positions

1. Extending the coverage of the negotiated merit promotion procedures to certain GS-6 threshold supervisory positions. Philadelphia Naval Shipyard, 3 F 66 [NN]

2. Requiring that negotiated procedures be used in filling nonunit positions. Pearl Harbor, 4 F 3 [NN]

3. Requiring that the negotiated merit promotion procedures be applicable to the filling of positions outside the bargaining unit. Army, Washington Military District, 4 F 60 [NN]

4. Requiring that the negotiated merit promotion procedures be applicable to the filling of all positions to the extent they apply to unit positions. Military District of Washington, 4 F 60 [N]

5. Incorporating within the merit promotion plan supervisory and management official positions. Army Material Development and Readiness Command, 6 F 66 [NN]

6. Filling of positions outside the bargaining unit, i.e., "threshold supervisory positions". Military Traffic Management Command, 6 F 96 [NN]

7. Concerning the filling of vacancies to the extent that it applied to the filling of supervisory position. Air National Guard, 9 F 19 [NN]

8. Providing procedures for the selection of bargaining unit employees to fill supervisory position. NLRB, 15 F 152 [NN]

9. Requiring the agency to provide the union with the names or employees selected for to supervisory and management positions prior to announcement of their promotions. DLA, 16 F 110 [NN]

G. Organization Structure

1. Requiring the Agency to modify its organizational structure to provide promotion opportunities for certain employees without regard to classification. Naval Air Engineering Center, 8 F 28 [NN]

2. Requiring management to establish it organizational structure in a manner which will assure promotional opportunities for its civilian technician employees. Army, 98th Division (Training), 11 F 42 [NN]

3. Limiting the number of civilian positions occupied by military personnel. 98th Division (Training), Webster, New York, 11 F 42 [NN]

4. Preventing the agency from converting certain specified civilian technician vacancies to full time military position. Arkansas Army National Guard, 11 F 48 [NN]

5. Requiring the agency to establish it organization structure in an manner which will assure promotional opportunities for civilian technician employees. National Guard, 11 F 48 [NN]

6. Requiring the agency to establish it organization structure in an manner which will assure promotional opportunities for civilian technician employees. Army, 76th Division (Training), 11 F 49 [NN]

7. Guaranteeing opportunities for employees in a unit where civilian vacancies are being converted and filled by active duty military personnel. 76th Division (Training), West Hartford, 11 F 49 [NN]

8. Prohibiting conversion goals. 76th Division (Training), 11 F 49 [NN]

9. Requiring the agency to establish it organization structure in an manner which will assure promotional opportunities for civilian technician employees. 79th Army Reserve Command, 11 F 51 [NN]

10. Prohibiting conversion goals. Army Reserve Command, Willow Grove, 11 F 51 [NN]

11. Guarantee opportunities for employees in a unit where civilian vacancies are being converted and filled by active duty military personnel. Army Reserve Command, Willow Grove, 11 F 51 [NN]

12. Concerning the decision to fill vacancies as military positions under the Military Technician Conversion Program. National Guard, 11 F 81 [NN]

H. Repromotion

1. Requiring that repromotion eligibles be selected for the first available vacancies. Commerce, 7 F 13 [NN] Set aside in AFGE v. FLRA, 702 F.2nd 1183 (D.C. Cir. 1983)

2. Requiring selection of a repromotion eligible unless there are "persuasive" reasons for passing the employee over. OPM, 8 F 97 [NN] Reversed in AFGE Local 32 v. FLRA, 728 F.2nd 1526 (D.C. Cir. 1984)

3. Requiring the repromotion of employees who have been demoted as a result of a RIF. Lowry AFB, 11 F 92 [NN]

I. Seniority

1. Requiring that if the agency chooses not to use competitive procedures to select an individual for a temporary assignment to higher or same graded positions, it must select the individual on the basis of seniority. AFLC, 2 F 77 [N]

2. Requiring that employees who are downgraded as a result of the application of the Federal Evaluation Factor System be given mandatory placement rights based on seniority. Scott AFB, 3 F 26 [NN]

3. Requiring the agency to offer vacancies on the Monday through Friday shift to the most senior employee in the same job title, series and grade on any irregular shift. DLA, 14 F 91 [N]

4. Requring that selection for temporary promotion be made on the basis of seniority. DLA, 14 F 91 [NN]

J. Temporary Promotion

1. Requiring that employees detailed to higher-graded positions be given temporary promotions. Customs, 2 F 8 [N]

2. Requiring that unit employees temporarily assigned to the duties of a higher graded position for five days or more receive pay of the position. Pensacola Naval Air Rework Facility, 2 F 34 [N]

3. Requiring that the employee receive the pay of the higher-graded position to which he or she is temporarily assigned, regardless of whether the position is outside the unit. AFLC, 2 F 77 [N]

4. Requiring temporary promotions when employees are assigned to higher-graded duties. AFLC, 2 F 77 [N]

5. Requiring that an employee detailed to an encumbered higher grade position receive the pay of the position. AFLC, 2 F 77 [N]

6. Requiring that a qualified employee assigned to a supervisory or higher level nonsupervisory position for two weeks be temporarily promoted. Pearl Harbor, 4 F 3 [N]

7. Requiring that when a full performance level employee is promoted to a higher graded position at a different facility, the employee will be promoted when entering on duty in the new position. FAA, 4 F 36 [N]

8. Providing for the temporary promotion of an employee detailed to a higher graded position for more thirty days or more. Marshals Service, 4 F 52 [N]

9. Prohibiting the use of rotating assignments for the purpose of avoiding temporary promotions. IRS, 14 F 45 [NN]

K. Miscellaneous

1. Requiring that each installation have an adequate number of overhires. AFLC, 2 F 77 [NN]

2. Waiving time-in-grade limitations and allow employees to bid on vacancies two grades higher than their present grade. FAA, 4 F 36 [NN]

3. Establishing guidelines for the consideration of employees for lateral transfers. Marshals Service, 4 F 52 [N]

4. Stating in general terms that procedures in the article will be used in promoting employees, filling vacancies and making work assignments. OPM, 8 F 97 [N]

5. Establishing a specified level of performance as prima facie evidence of good performance for the purpose of making career ladder promotion decisions. IRS, 11 F 58 [NN]

6. Permitting the personnel office to seek the assistance of employees, management officials, and supervisors to assist in the preparation of the roster. Lowry AFB, 11 F 92 [N]

7. Obligating the agency to attempt to recall WAE employees whenever funding is available. Angeles National Forest, 12 F 114 [NN]

8. Permitting the filling of temporary office positions by retired annuitant pilots. Panama Canal Commission, 13 F 87 [N]

9. Precluding the agency from requiring that an employee possess a particular military occupational speciality/Air Force speciality code in order to be considered for a specific position. Oklahoma Army National Guard, 14 F 38 [N]

10. Requiring that employees who volunteer for the Active Guard Reserve Program will not have restoration rights to technician positions. Delaware National Guard, 15 F 70 [NN]

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HEALTH & SAFETY

PROVISIONS/PROPOSALS

A. Alcohol/Drugs Assistance Program

1. Assigning the duties of alcohol and drug abuse counselor to employees who possessed training and experience in treating persons suffering from alcoholism, drug abuse, depression and related problems, and who had a working knowledge of the techniques of counseling, treatment and rehabilitation methods. DARCOM, 3 F 28 [NN]

2. Issuing guidelines to supervisors on how to identify employees with drug and alcohol problems. Groton Naval Shipbuilding, 4 F 78 [NN]

3. Setting forth the responsibilities of various offices and officials under the employee assistance program. LOC, 11 F 109 [NN]

4. Restricting management access to records under the employee assistance program. LOC, 11 F 109 [NN]

5. Requiring supervisors to maintain certain records. LOC, 11 F 109 [NN]

6. Requiring that employees who accept assistance for a drug/alcohol problem will be given a reasonable opportunity to improve their performance before being subject to adverse action. LOC, 11 F 109 [N]

B. Committee

1. Requiring the establishment of a health and safety committee which is not certified as authorized by E.O. 12196. Bureau of Prisons, 11 F 63 [N]

C. Clothing and Shoes

1. Requiring management to provide, without charge, safety shoes to employees who are required to wear foot protection. Warminster, 2 F 62 [N]

2. Supplying employees with protective clothing and frocks. Food Safety and Quality Service, 8 F 25 [N]

D. Solitary Assignment

1. Barring employees from working alone in certain health and safety situations. Homestead AFB, 6 F 105 [NN]

2. Requiring the agency to maintain two person crews for safety reasons while employees are in travel status. Naval Air Engineering Center, 8 F 28 [NN]

3. Barring employees from working alone in certain health and safety situations. DLA, 12 F 19 [NN]

E. Miscellaneous

1. Permitting employees to whom work had been assigned to delay returning to the worksite when it is the location of a fire emergency. VA, 12 F 26 [N]

2. Establishing the safety training employees are to receive. BIA, Colorado River Agency, 14 F 8 [NN]

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HOURS OF WORK

PROVISIONS/PROPOSALS

A. Flexitime/Alternate Work Schedules

1. Allowing management to cancel alternative work schedules only when certain conditions are met. GSA, 3 F 37 [N]

2. Requiring the agency to establish flexible work hours at an Area Office. HUD, 4 F 94 [N]

3. Establishing the work hours in a day, core time days, and the maximum hours per day which may be worked under a flexible work scheduling arrangement. Commerce, 5 F 55 [N]

4. Maintaining the flexible work schedule an employee has in his or her position of record while on an involuntary detail. OPM, 14 F 2 [N]

B. Limitations/Procedures

1. Reinstating one of three staggered starting and quitting times. IRS, 1 F 106 [N]

2. Requiring intermittent employees be removed before the employer could reduce the hours of work of other employees. Naval Air Station, 3 F 1 [NN]

3. Requiring hours of work be reduced only for "just cause". Fort Meade, 4 F 66 [N]

4. Establishing the first and last fifteen minutes of each workday as time devoted to packing and unpacking files. IRS, 8 F 38 [NN]

5. Establishing a "sign-in/sign-out register" to record arrivals and departures including overtime and leave. SSA, 8 F 40 [N]

6. Limiting the length of standby tours and prohibiting the assignment of work after the employee completes three hours of standby work. Vandenberg AFB, 9 F 83 [NN]

7. Requiring that employees who travel outside normal duties hours to and from a site will be paid for their travel time. NRC, 13 F 13 [N]

8. Requiring at least three days advance written notice of a change in an employee's basic work week or shift hours in an emergency. DLA, 14 F 91 [NN]

9. Providing Graphic Control Operators with two uninterrupted rest periods during each eight hour tour of duty from the constant attention to duty. VA, 12 F 26 [N]

10. Making check-in and flight or boat underway time hours of work. Point Mugu, 14 F 50 [NN]

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INCENTIVE AWARDS

PROVISIONS/PROPOSALS

A. Committee

1. Establishing an incentive awards committee covering nonbargaining unit employees. Long Beach,VA Hospital, 12 F 62 [NN]

2. Establishing an incentive awards committee covering bargaining unit employees. Long Beach,VA Hospital, 12 F 62 [N]

3. Requiring that union will have two representatives on the incentive awards committee who will participate in evaluating and voting on nomines for incentive awards. Louisville, VA Regional Office, 12 F 110 [N]

B. Criteria

1. Establishing a formula for determining the amount of an award that an employee whose suggestion results in tangible benefits to the agency will receive. FDIC, 14 F 84 [N]

2. Requiring that cash awards will be granted on a fair and equitable basis. Hampton, VA Medical Center, 16 F 130 [NN]

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INTERNAL SECURITY PRACTICES

PROVISIONS/PROPOSALS

1. Requiring management to do away with the visible display of ID badges or requiring that ID cards be carried and produced only when challenged IRS, 2 F 109 [NN]

2. Giving union officers clearance to enter all work areas. IRS, 7 F 42 [NN]

3. Requiring that unlocked desks and file cabinets be secured and a search of their contents postponed until employee users are present. IRS, 7 F 47 [N]

4. Providing employees, other than the one designated, access to supplies. IRS, 9 F 80 [NN]

5. Concerning the manner in which employees are to be notified of certain procedures, privileges and obligations in relation to agency conducted interrogations of employees. Customs, 9 F 138 [N]

6. Requiring that an employee be notified of a written complaint not containing an allegation of criminal misconduct received by management as soon as practicable following the receipt of the complaint, and, upon request, be furnished a copy of the complaint and management's response thereto. Customs, 9 F 138 [N]

7. Requiring that when management exercises its legal right to search an employee's possessions at the worksite in a non-criminal matter, the employee will be allowed to be present during the search if the employee is otherwise present at the worksite and that the employee, upon request, shall be given an opportunity to be represented by the union during the search, provided that the supplying of such representation by the union shall not unduly delay the search or impede the purpose for which the search is conducted. Customs, 9 F 138 [N]

8. Requiring that citizens or deputies filing a complaint or bringing a serious charge against a deputy U.S. Marshal should sign a prepared statement stating the alleged charge in the complaint is true; that if the complaint knowingly falsifies, misrepresents, or lies, he or she should receive a harsh discipline, if a deputy, and prosecuted by the U.S. Attorney if a citizen; and that the complaint levied against a deputy by another deputy or citizen should be shown to him or her upon request. Marshals Service, 9 F 140 [NN]

9. Prohibiting the use of investigative methods employing equipment such as electrical, electronic, optical, chemical or mechanical surveillance devices except for national security purposes, in which event they shall be used in accordance with law, and government-wide regulations; and (2) investigation devices such as the polygraph or the voice-stress-analyzer or any device or equipment that monitors (for operator interpretation) the physiological or psychological reactions of the human body. Redstone Arsenal, 10 F 74 [NN]

10. Requiring that the searching of hand held items such as lunch boxes, purses and brief cases be conducted at the perimeter entrances to the activity rather than at access points to the activity's Controlled Industrial Area. Mare Island Naval Shipyard, 12 F 78 [NN]

11. Requiring management to provide adequate security to all employees. OPM, 14 F 2 [N]

12. Granting employees access to the roof of the facility . LOC, 15 F 131 [NN]

13. Prohibiting the use of lie detectors. OPM, 16 F 10 [NN]

14. Prohibiting unannounced searches and procedures which limit the searches. Scott AFB, 16 F 57 [NN]

15. Substituting language for that in the agency's secrecy agreement. DMA, 16 F 108 [NN]

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LEAVE

PROVISIONS/PROPOSALS

A. Administrative Leave/Excused Absence

1. Providing "grace period" for excused absences without charge to leave for occasional, brief, and unavoidable tardiness in reporting for work. NLRB, 2 F 42 [N]

2. Requiring the agency to grant a certain amount of time only to union members for union training. Interior, 3 F 128 [NN]

3. Requiring the agency to grant administrative leave to attend legal education courses. IRS, 6 F 97 [NN]

4. Excusing National Guard technicians from their civilian technician duties for up to five days each time they are ordered to active duty in connection with state emergencies in the nature of natural disasters. National Guard, 7 F 52 [N]

5. Requiring the granting of administrative leave instead of annual leave for employees not working when agency operations are curtailed during the Xmas-New Year period. Long Beach Naval Shipyard, 7 F 53 [N]

6. Requiring that if the President declares a regularly scheduled workday to be a non-workday (holiday), an employee who must report for duty on such a holiday would be granted a day of "administrative leave," i.e., a day off with pay not charged to leave, in addition to compensation to which the employee would otherwise be entitled. Navy, 9 F 89 [NN]

B. Annual Leave

1. Specifying that management may not deny annual leave as an act in lieu of discipline or in connection with discipline the effect of which would be to prevent management from denying a request for annual leave during the days upon which a suspension would be effective. FDIC, 10 F 67 [NN]

2. Granting annual leave in lieu of sick leave. Kirtland AFB, 15 F 126 [NN]

3. Granting LWOP in lieu of annual leave. Kirtland AFB, 15 F 126 [NN]

C. Compensatory Time

1. Allowing compensatory time to be taken up to one year from the date it is earned and provide overtime payment for compensatory time not used within the year. FDIC, 12 F 101 [N]

2. Concerning the time within which compensatory time off is to be requested or taken. FDIC, 12 F 101 [N]

3. Once earned, employees may use compensatory time at any time prior to the end of a leave year or any time within six pay periods--whichever is later. FDIC, 14 F 37 [N]

4. Requiring compensatory time for travel to and from TDY locations outside normal work hours. Alabama Air National Guard, 16 F 143 [NN]

D. Sick leave

1. Allowing the agency to require a medical certificate for sick leave only when it has been established that a pattern of abuse exists and the employee is notified in writing that certificates will be required. FDIC, 12 F 101 [N]

2. Requiring management to grant sick leave on bases other than those provided under government-wide OPM regulations. Kirtland AFB, 15 F 126 [NN]

E. Miscellaneous

1. Specifying that employees may take and be charged for annual, sick, and compensatory leave in quarter hours. Commerce, Southeast Fisheries Center, 5 F 55 [N]

2. Specifying that employees, who do not take home leave to which they would otherwise be entitled, be given a cash payment equivalent to the amount that management was prepared to spend. Panama Canal, 13 F 87 [NN]

3. Allowing male employees up to 30 consecutive days annual leave or leave without pay for paternity leave. Marshals Service, 15 F 71 [NN]

4. Requiring management to make accommodations for religious activities. Kirtland AFB, 15 F 126 [NN]

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NEGOTIATED GRIEVANCE PROCEDURE (NGP) AND ARBITRATION

PROVISIONS/PROPOSALS

A. Employee Options

1. Making disciplinary and adverse actions appealable under the VA appellate procedure of Title 38 or under the NGP. Minneapolis VA, 4 F 53 [N] Set aside in VA Medical Center Minneapolis, Minnesota v. FLRA, 705 F.2d 953 (8th Cir. 1982).

2. Giving employee right to use both NGP and statutory system to process discrimination complaint. NJANG, 5 F 26 [NN]

3. Granting the bargaining unit employees the option to choose either the negotiated grievance procedure or a statutory procedure with respect to any matter covered by the grievance procedure. Des Moines National Guard, 5 F 86 [NN]

4. Permitting an employee the option of raising any matter not expressly excluded from the parties' negotiated grievance procedure either under that procedure or under a statutory appeal procedure. CSA, 7 F 28 [NN]

5. Giving employees the option of choosing either the negotiated grievance procedure or the statutory procedure with respect to any matter covered by the negotiated procedure. Customs Service, 8 F 1 [NN]

6. Conferring the right to file discrimination complaints under either the negotiated or the statutory procedure. Indiana Air National Guard, 8 F 2 [N]

7. Giving title 38 employees the right to choose between statutory and negotiated procedures when grieving or appealing removals, RIF, long term suspension and performance based actions. VA, Washington Office, 16 F 58 [NN]

B. Scope and Coverage

1. National Guard

a. Grievances involving RIFs and adverse actions to be covered by the NGP. CNG, 5 F 25 [N] Reversed in California Nat. Guard v. FLRA, 697 F.2d 874 (9th Cir. 1983)

b. Grievances involving RIFs and adverse actions to be covered by the NGP. NJANG, 5 F 26 [N] Set aside in N.J. Air Nat. Guard v. FLRA, 677 F.2d 276 (13th Cir. 1982)

c. Providing for a grievance and arbitration procedure which included within its coverage matters relating to appeals of adverse actions by National Guard technicans. Pennsylvania National Guard, 7 F 52 [N] Reversed in Adjutant General, Dept. of Military Affairs Commonwealth of Pennsylvania v. FLRA, 685 F.2d 93 (3th Cir. 1982)

d. Including within the scope and coverage of the negotiated grievance procedure matters relating to appeals of adverse actions involving National Guard technicians as well as provide the employee an option to appeal and adverse action through the statutory or negotiated procedure. Indiana National Guard, 7 F 121 [N] Set aside in Indiana Air Nat. Guard, Hulman Field v. FLRA, 712 F.2d 1187 (7th Cir. 1983)

e. Including adverse actions involving National Guard techicians within the scope of the negotiated grievance procedure and permitting employees an option of the negotiated or statutory procedure for adverse actions. Indiana National Guard, 8 F 2 [N] Set aside in Indiana Air Nat. Guard, Hulman Field v. FLRA, 712 F.2d 1187 (7th Cir. 1983)

f. A grievance procedure which does not specifically exclude adverse action appeals where such appeals were alleged to be statuorily limited to agency-wide regulations. Kansas, Nevada and Alabama National Guard, 3 F 124 [N]

g. In which appeals of adverse actions were not expressly excluded from the scope of the grievance and arbitration proceedings. Massachusetts, Oregon and New Jersey National Guard, 3 F 130 [N]

h. Establishing the scope and coverage of the NGP. Nebraska National Guard, 7 F 111 [N]

i. Grievability of RIF actions involving National Guard technicians. Pennsylvania National Guard, 14 F 6 [NN]

2. Performance

a. Permiting grievances which challenge the agency's identification of the critical elements of a position and the establishment of performance standards. Saint Lawrence Seaway Development Corporation, 5 F 14 [NN]

b. Performance standards may be challenged through the NGP. St. Lawrence Seaway, 5 F 14 [NN]

c. The negotiated grievance procedure extends to all disciplinary actions including those taken as a result of a performance appraisal. Saint Lawrence Seaway Development Corporation, 5 F 14 [N]

d. Performance standards may be challenged through the NGP. CSA, 5 F 98 [NN]

e. Allowing grievances under the negotiated grievance procedure regarding a performance appraisal itself. FDIC, 7 F 34 [N]

f. Subjecting disputes over the establishment of critical elements and performance standards to the negotiated grievance procedure. VA, 9 F 86 [NN]

g. Establishing the negotiated procedure as the sole procedure for a performance appraisal system for bargaining unit employees. CPSC, 14 F 67 [N]

3. Probationary Employees

a. Subjecting the termination of a probationary employees to the negotiated grievance procedure on the basis of whether the action is reasonable and not arbitrary and capricious. INS, 8 F 75 [N] Reversed in INS v. FLRA, 709 F.2d 724 (D.C. Cir. 1983)

b. Not excluding grievances concerning the separation of a probationary employee from the scope of the NGP. Tampa VA, 4 F 50 [N]

4. Promotion

a. Nonselection of repromotion eligibles is covered by the NGP. Census, 6 F 56 [N]

b. Including within the coverage of the parties' NGP grievances concerning ratings and referrals under the agency's career management program. Rock Island Arsenal, 9 F 56 [N]

5. Statutory Appeals

a. The sole exclusion from the grievance procedure will be those matters that are subject to statutory appeal procedures. Minneapolis VA, 3 F 48 [N]

b. The sole exclusion from the grievance procedure will be those matters that are subject to statutory appeal procedures. Newark VA, 4 F 26 [N]

6. Miscellaneous

a. Not providing for any specifice exclusions from the scope of the NGP. Farmer Home Administration, 3 F 50 [N]

b. Seeking to enforce merit system principles and prohibited personnel practices through the negotiated grievance procedure. IRS, 3 F 112 [N]

c. Subjecting contracting out determinations to review under the NGP. NSF, 6 F 114 [NN]

C. Stays

1. Stays of grieved suspensions and removals are negotiable. Fort Dix, 2 F 16 [N]

2. 50-day stays of suspensions pending final decision on the grievance. Customs Service, 2 F 15 [N]

3. Staying grieved personnel actions pending final decision on the grievance. Tampa VA, 4 F 50 [N]

4. A stay of a pending or proposed personnel action pending the final decision on appeal. Indiana Air National Guard, 8 F 2 [N]

5. Staying actions until a grievance is finally resolved. Panama Canal Commission, 11 F 29 [N]

D. Time Limits

1. Failing to observe the NGP's time limits means that management agrees with the position of the grievant. Tampa VA, 4 F 50 [N]

E. Miscellaneous

1. Requring the head of the agency to sign management grievances. OPM, 14 F 51 [NN]

2. Excluding the agency from access to the negotiated grievance and arbitration procedure. DLA, 14 F 91 [NN]

3. Allowing non-union representation in grievances under the NGP alleging discrimination. Vandenberg AFB, 15 F 154 [NN]

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OFFICIAL TIME

PROVISIONS/PROPOSALS

A. Contract Negotiation

1. Requiring official time to cover period between receipt of management's proposals and the initiation of bargaining. NHAG, 7 F 36 [N]

2. Extending official time for prenegotiation meetings to non-unit members of the negotiating team. NOAA, 15 F 8 [NN]

3. Providing the union more negotiators on official time than the agency has. EPA, 15 F 96 [N]

B. Preparation Time

1. Providing official time to prepare section 7120(c) reports. Cleveland VA, 2 F 1 [N]

2. Providing official time to prepare for negotiations and other union-management "interface" activities. Mather AFB, 3 F 47 [N]

3. Providing official time for union representatives to prepare for negotiation, impasse resolutions and counterproposals. Army Armament Research and Development Command, 3 F 49 [N]

4. Providing official time to prepare for negotiations and for impasse proceedings. DARCOM, 4 F 24 [N]

5. Specifying that the union representatives' preparation for negotiations will be conducted on official time. Aberdeen Proving Grounds, 5 F 54 [N]

C. Union Training

1. Specifying the use of official time for union-sponsored training for bargaining unit employees, stewards, and union officers. Bureau of Reclamation, 3 F 128 [N]

2. Granting a certain amount of official time only to union members for union sponsored training. Bureau of Reclamation, 3 F 128 [NN]

3. Granting 48 hours official time each year for union-sponsored training. Stewart Indian School, 4 F 101 [N]

4. Granting a block of 80 hours official time each year to the union for union representatives to attend union sponsored training. Washington, D.C., National Park Service, 5 F 40 [N]

D. Miscellaneous

1. Requiring that union participation in activities with management concerning the performance appraisal system be on duty time. FDIC, 7 F 34 [N]

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OVERTIME

PROVISIONS/PROPOSALS

A. Assignment

1. Utilizing supervisory employees to cover a processing assignment except when a qualified unit employee is not available or in cases of emergency. Agriculture, 9 F 74 [NN]

2. Establishing which inspectors already assigned "slaughter" or "processing" work will receive overtime for those kinds of work. Agriculture, 9 F 74 [N]

3. Requiring fair and equal employee's assignment of overtime work according to overtime rosters where employees do not all perform the same duties. Marshals Service, 11 F 113 [NN]

4. Prohibiting the assignment of overtime work to employees outside of the bargaining unit. Marshals Service, 11 F 113 [NN]

5. Limiting mandatory overtime to emergency situations. SSA, 13 F 73 [NN]

6. Limiting overtime to bargaining unit employees. Army Adjutant General Publication Center, Baltimore, 16 F 54 [NN]

7. Limiting overtime assignments to a reasonable amount. Fort Meade, 16 F 132 [NN]

8. Requiring management to relieve an employee from an overtime assignent if another qualified employee is available and willing to work. Fort Meade, 16 F 132 [N]

B. Call Back

1. Requiring four hours as the minimum amount of call back overtime. Corps of Engineers, 10 F 43 [NN]

2. Limiting the work assigned to a called back employee to the emergency work leading to the call back. Navy, 11 F 33 [NN]

3. An employee called back to work outside his/her normal shift will be paid a minimum of four hours overtime. Navy, 11 F 33 [NN]

4. Setting four hours pay as the minimum for call back overtime. Yuma Proving Ground, 14 F 68 [NN]

C. Double Time/Premium Pay

1. Requiring the payment of double time for work performed on Sundays in excess of forty hours a week. Agriculture, 3 F 85 [NN]

2. Requiring rates of premium pay to be paid under certain conditions. Corps of Engineers, Nashville, 10 F 43 [NN]

3. Failing to comply with the scheduling overtime or to provide the required notice, the employee shall receive a premium pay of time plus one-half for all hours worked. Corps of Engineers, Nashville, 10 F 43 [NN]

4. Requiring double time for overtime in excess of two hours, Saturday overtime in excess of four hours, and all Sunday work. Yuma Proving Ground, 14 F 68 [NN]

E. Miscellaneous

1. Establishing a seven-day work period for the purpose of computing overtime. Philadelphia Naval Shipyard, 3 F 66 [N]

2. Prohibiting the assignment of overtime work to employees outside the bargaining unit. Marshals Service, 11 F 113 [NN]

3. Limiting overtime work to bargaining unit. Army Adjutant General Publication Center, Baltimore, 16 F 54 [NN]

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PERFORMANCE APPRAISAL/EVALUATION

PROVISIONS/PROPOSALS

A. Application

1. Requiring that an employee must be given an opportunity to perform satisfactorily in another position at the same grade before the employee can be demoted or terminated for unacceptable performance. SSA, 9 F 142 [NN]

2. Requiring that an employee whose performance exceeds the minimum standard for satisfactory in at least one element will be deemed to have performed acceptably, without regard to performance in any other job element. Action, 12 F 128 [NN]

3. Requiring the agency to endeavor to ensure that employees are provided the variety of work necessary to maintain proficiency. IRS, 13 F 9 [N]

4. Requiring management to reassign to the claim authorizer position an employee who is found to be performing unsatisfactorily as a claim instructor. SSA, 14 F 64 [NN]

5. Establishing progressive steps which must be applied when an employee is performing unacceptably. Military Ocean Terminal, 15 F 1 [NN]

6. Requiring progressive remedial action for unacceptable performance. IRS, 15 F 177 [NN]

7. Establishing progressive steps management must take before terminating an employee for unacceptable performance. Plum Island Disease Center, 16 F 114 [NN]

B. Frequency

1. Frequency with which periodic performance appraisals are made. St. Lawrence Seaway, 5 F 14 [N]

2. Requiring an annual performance appraisal cycle. FDIC, 7 F 34 [N]

3. Establishing the appraisal as annual. VA, 9 F 86 [N]

4. Requiring an annual rating within five days of the anniversary date of the previous rating. HHS, 13 F 112 [N]

C. Limitations

1. Barring use of telephone monitoring information to evaluate performance. IRS, 6 F 98 [NN]

2. Requiring the employer to recognize that performance of duties normally assigned to bargaining unit employees should be performed by properly qualified bargaining unit employees. FAA, 6 F 106 [NN]

3. Establishing a procedure for counting work performed by microfilm examiners. IRS, 7 F 35 [N]

4. Barring unit employees from evaluating the performance of other employees. FHLBB, 7 F 58 [NN]

5. Barring management from evaluating employees on the basis of the size of their backlogs. SSA, 7 F 139 [NN]

6. Requiring the agency to support statistical data to be used in evaluating employee performance. IRS, 8 F 5 [N]

7. Preventing management from evaluating an employee on newly assigned duties until the employee has received formal training in those duties. Otis AFB, 9 F 87 [NN]

8. Limiting management's right to evaluate employees to those duties in their job descriptions. SSA, 11 F 103 [N]

9. Excluding time lost due to unavailability of telephones, or other needed facilities, from being charged against productive time, and requring that trainees be given time allowances to learn and implement certain tasks. SSA, 12 F 6 [NN]

10. Establishing the content of the standard for determining a given level of performance in a critical element in order for that employee to achieve a certain rating on that element. IRS, 13 F 50 [NN]

11. Exempting certain positions from the appraisal system. Mare Island Naval Shipyard, 13 F 77 [NN]

12. Prohibiting the use of other duties as assigned as a basis for performance appraisals. Mare Island Naval Shipyard, 13 F 77 [N]

13. Governing when an employee will be rated unsatisfactory or outstanding. Justice, 13 F 96 [NN]

14. Requiring that employees will be rated only on critical and non-critical elements. HHS, 13 F 112 [N]

15. Limiting performance ratings in all elements to either unsatisfactory or highly satisfactory. OPM, 14 F 2 [NN]

16. Requiring the agency to provide mutually agreed-upon training to employees as a condition precedent to its evaluation of their performance. SSA, 14 F 64 [NN]

17. Requiring the agency to provide the union-management committee mutually agreed-upon training to employees as a condition precedent to its evaluation of their performance. SSA, 14 F 64 [NN]

18. Defining the level of performance required to achieve a particular summary rating. Army Armor Center, Ft. Knox, 15 F 5 [NN]

19. Preventing management from considering an employee's lack of supervisory experience in evaluations. NLRB, 15 F 152 [NN]

20. Restricting the performance of bargaining unit work by temporary supervisors. NLRB, 15 F 152 [NN]

21. Establishing the quality of performance required to achieve the various summary performance ratings and which establish the levels required for quality step increases. FDA, 15 F 171 [NN]

22. Requiring reassignment to a position for which an employee is qualified and can reasonably be expected to demonstrate acceptable performance before the employee can be removed for unacceptable performance. NLRB, 15 F 12 [NN]

23. Prescribing random sampling as the minimum procedure for auditing employee performance in terms of accuracy that is to be deemed unacceptable. SSA, 15 F 172 [NN]

D. Notification

1. Requiring that performance appraisal will be discussed with the employee before it is discussed with the reviewer. Fort Mommouth, 13 F 75 [N]

2. Requiring that the failure of a supervisor to provide an employee timely notice that he or she is not performing at an acceptable level constitutes proof that an employee is performing at an acceptable level. OPM, 14 F 2 [N]

E. Rating Levels

1. Requiring the number of rating levels for individual elements and summary ratings. Justice, 13 F 96 [NN]

2. Establishing the number of rating levels for ratings on individual elements and on the summary appraisal. HHS, 13 F 112 [NN]

3. Establishing the number of rating levels for ratings on individual elements and on the summary appraisal. Alaska Area Native Health Service, 13 F 112 [N]

4. Setting the performance rating level for an acceptable level of competence. OPM, 14 F 2 [NN]

5. Establishing five ratings levels for each critical element. Kansas City District, Corps of Engineers, 14 F 53 [NN]

6. Establishing five rating levels for appraising an employee's overall performance and sets forth criteria for determining the quality of performance necessary to achieve a given overall rating. Kansas City District, Corps of Engineers, 14 F 53 [NN]

7. Establishing the number of rating levels for the appraisal of an employee's performance in each job element. Norfolk Naval Shipyard, 14 F 74 [NN]

8. Establishing the number of rating levels for an appraisal of overall performance and what quality of performance is required in order to achieve a particular overall rating. Army Material Development and Readiness Command, 14 F 75 [NN]

9. Establishing the number of levels for performance appraisal ratings. CCR, 16 F 36 [NN]

10. Establishing the number of rating levels for an appraisal of overall performance and the quality of performance required in order to achieve a particular overall rating. SSA, 16 F 43 [NN]

11. Setting the number of rating levels and the summary appraisal of overall performance. Plum Island Disease Center, 16 F 114 [NN]

F. Within-Grade

1. Requiring that where an employee is found not to be performing at an acceptable level of competence the notice to the employee will provide for a decision on granting the within-grade at the end of 60 days. OPM, 14 F 2 [N]

2. Excluding the consideration of performance on major job elements which are not critical when awarding or withholding within-grade increases. Corps of Engineers, 14 F 53 [NN]

3. Requiring the awarding of a within-grade increase to employees who achieve overall satisfactory performance. IRS, 15 F 177 [NN]

4. Requiring that unsatisfactory rating on a critical element may be cause for denial of a within-grade increase. Plum Island Disease Center, 16 F 114 [NN]

G. Miscellaneous

1. Providing for a negotiated appeal system for military appraisals. PAG, 3 F 8 [NN]

2. Giving employees the opportunity to evaluate the performance of supervisors and that prohibit supervisors who have not received necessary training from disciplining employees. EEOC, 3 F 80 [NN]

3. Affording the union the opportunity to be present during an investigatory interview concerning work performance, where the employee believes disiplinary action may result. Public Debt, 3 F 119 [N]

4. Creating a joint labor-management committee with the limited power to recommend changes in the performance appraisal system. FDIC, 7 F 34 [N]

5. Allowing employees to rate supervisors and requiring management to consider those ratings with respect to training, disciplinary action, promotions, and the like. Scott AFB, 7 F 117 [NN]

6. Establishing a specified level of performance as prima facie evidence of good performance for the purpose of making career ladder promotion decisions. IRS, 11 F 58 [NN]

7. Requiring the agency to inform the union of any and all studies it conducts bearing on performance appraisals. FHLBB, 13 F 80 [N]

8. Requiring that appraisals be made by a supervisor at the employee's worksite. Keesler AFB, 16 F 49 [NN]

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PERFORMANCE
CRITICAL ELEMENTS/STANDARDS

PROVISIONS/PROPOSALS

A. Application

1. Applying the same performance standards to both job retention and within grade increase. Public Debt, 3 F 119 [NN]

2. Requiring that the application of performance standards be "fair and equitable" and consistent with classification standards. OPM, 3 F 120 [N]

3. Requiring that management, in applying standards, make allowances for factors beyond the employee's control. FDIC, 7 F 34 [N]

4. Requiring that critical elements will be based on grade controlling factors and weighs them in proportion to their relative importance in grade determination. VA, St. Louis, 9 F 86 [NN]

5. Requiring that performance standards shall be uniformly applied for like duties in like circumstances. Customs Service, 9 F 138 [N]

6. Requiring a delay of 90 days before performance standards can be applied to employees transferred to a new position. Library of Congress, 15 F 112 [N]

B. Arbitral Review

1. Subjecting management's identification of critical elements and establishment of performance standards to arbitral review. St. Lawrence Seaway, 5 F 14 [NN]

2. Requiring that an action taken as the result of the application of critical elements and performance standards established by management may be subjected to arbitral review. St. Lawrence Seaway, 5 F 14 [N]

3. Subjecting the establishment of performance standards by the agency to challenge through the negotiated grievance procedure. CSA, 5 F 98 [NN]

4. Subjecting the identification of critical elements and the establishment of performance standards to arbitral review. FDIC, 7 F 34 [NN]

5. Establishing a general, nonquantitative requirement by which the application of performance standards established by management may subsequently be evaluated in a grievance alleging adverse affect by the application of the standards. FDIC, 7 F 34 [N]

6. Extenting the coverage of the negotiated grievance procedure to include direct challenges to agency's identification of the critical elements and establishment of performance standards of a position. OPM 7 F 88 [NN]

7. Providing a general, nonquantitative requirement by which the application of performance standards established by management may subsequently be evaluated in a grievance. OPM, 7 F 88 [N]

8. Subjecting critical elements and performance standards to arbitral review. Redstone Arsenal, 7 F 137 [NN]

9. Allowing the application of performance standards to be grieved. Redstone Arsenal, 7 F 137 [N]

10. Subjecting disputes over the establishment of critical elements and performance standards to the negotiated grievance procedure. VA, 9 F 86 [NN]

11. Including within the negotiated grievance procedure certain actions resulting from the application of management-established critical elements and performance standards to an employee. Navy Public Works Center, Norfolk, 15 F 73 [N]

12. Requiring that all performance standards must be fair, equitable, objective, valid, reliable and job related establishes a general, nonquantitative requirement by which the application of established performance standards can be evaluated in a grievance. Plum Island Disease Center, 16 F 114 [N]

C. Establishment

1. Establishing a minimum performance standard for employees to meet in order to continue in the employment of the agency. Public Debt, 3 F 119 [NN]

2. Identifying critical elements and establishing performance standards for the purpose of job retention. Public Debt, 3 F 119 [NN]

3. Requiring that performance standards and critical elements be fair, equitable and consistent with applicable classification standards. OPM, 3 F 120 [NN]

4. Defining performance standard and critical element different from, but not inconsistent with, definitions used in OPM regulations. OPM, 3 F 120 [N]

5. Defining critical element. OPM, 3 F 120 [NN]

6. Requiring that the employer agree to develop reasonable performance standards for unit employees. FTC, 4 F 92 [N]

7. Requiring that the critical elements of a position be based only on the gradecontrolling factors of a position and be weighed in direct proportion to their relative importance in grade determination. St. Lawrence Seaway, 5 F 14 [NN]

8. Requiring that only "more critical" elements of a position will be included as evaluative criteria. Lowry AFB, 6 F 5 [NN]

9. Requiring that employees with the same PD also have the same performance standards and limiting evaluation criteria to "only the more critical elements of a position". Lowry AFB, 6 F 5 [NN]

10. Requiring identical standards for employees with the same position descriptions. Lowry AFB, 6 F 5 [NN]

11. Setting a limit on the number of critical elements that could be established for bargaining unit positions. Norfolk Army Corps of Engineers, 7 F 17 [NN]

12. Limiting critical elements to the grade controlling factors of a position and requiring that they be weighted in direct proportion to the factor's importance in grade determiniation. FDIC, 7 F 34 [NN]

13. Requiring performance standards to be fair, objective, reasonable and directly related to the employee's official position. FDIC, 7 F 34 [N]

14. Requiring performance standards and critical elements to be consistent with the duties and responsibilities contained in a properly classified position description. OPM, 7 F 88 [NN]

15. Requiring that performance standards will make allowances for factors beyond the control of the employee. OPM, 7 F 88 [N]

16. Requiring that the critical elements of a position be based only on the grade controlling factors of a position in direct proportion to their relative importance in grade determination. Redstone Arsenal, 7 F 137 [NN]

17. Limiting number of beef carcasses a meat grader may be required to grade in an hour. Agriculture, 8 F 25 [NN]

18. Prohibiting management from using performance standards which consider elements of supervisory work, such as personnel management, EEO, developing performance standards for subordinates, etc. and which contain a compendia of administrative regulations, rules, SOPS, and the like, and matters of general conduct. Army, 8 F 88 [NN]

19. Requiring critical elements to be objective and directly related to the employee's position. VA, 9 F 86 [N]

20. Requiring management to bargain over "basic requirement figures" which constitute performance standards. SSA, 9 F 122 [N]

21. Prohibiting performance of certain security activities by union employees. Fort Polk, 8 F 89 [NN]

22. Requiring non-critical elements and the performance standards for noncritical elements. NRC, 13 F 49 [NN]

23. Requiring the establishment of non-critical elements. Mare Island Naval Shipyard, 13 F 77 [NN]

24. Requiring that critical elements and performance standards governing professional work shall not specify quantity. Mare Island Naval Shipyard, 13 F 77 [NN]

25. Requiring performance elements and standards for all GS-1 through GS-12 and all Federal Wage System employees. Mare Island Naval Shipyard, 13 F 77 [N]

26. Requiring the same critical elements for the same job descriptions under the same supervisor. Mare Island Naval Shipyard, 13 F 77 [NN]

27. Establishing the number of critical elements. Mare Island Naval Shipyard, 13 F 77 [NN]

28. Requiring that critical elements should be related to the grade controlling duties of a position. FHLBB, 13 F 80 [NN]

29. Establishing the performance standards for job retention. SSA, 14 F 64 [NN]

30. Setting forth standards of productivity for claims authorizer and benefit authorizer trainees in terms of numbers of cases and accuracy of result likewise. SSA, 14 F 64 [NN]

31. Definiting critical element. CPSC, 14 F 67 [NN]

32. Establishing conditions which must be met before production studies or goals may be translated into performance standards. Military Ocean Terminal, 15 F 1 [NN]

33. Setting conditions which must be met before production studies or goals can be translated into performance standards. Army Armor Center, Ft Knox, 15 F 5 [NN]

34. Requiring that positions which are essentially the same have the same critical elements. Army Armor Center, Ft. Knox, 15 F 5 [NN]

35. Relieving employees of responsiblity for the accuracy the instruments used in their work. DOL, 15 F 170 [NN]

36. Defining errors, prescribe what performance in terms of accuracy is to be deemed unacceptable for job retention. SSA, 15 F 172 [NN]

37. Setting forth several requirements relating to establishment of performance standards. Plum Island Disease Center, 16 F 114 [NN]

38. Defining job element, critical element, non critical element, and performance standard which do not conflict with law or government-wide regulation. Plum Island Disease Center, 16 F 114 [N]

39. Requiring that performance standards themselves must be fair and equitable. OPM, 16 F 127 [NN]

D. Incentive Pay

1. Requiring that performance appraisals will be the sole consideration in granting quality step increases and sustained superior performance awards. CPSC, 14 F 67 [N]

2. Requiring that every task will be included in a performance test and be eligible for incentive pay. IRS, 14 F 77 [NN]

3. Requiring that employees will be informed of tasks excluded and given a list of job elements for which incentive pay may be awarded. IRS, 14 F 77 [N]

4. Setting performance standards which must be attained for incentive pay. IRS, 14 F 77 [NN]

5. Allowing employees to divide tasks in the test among themselves or which requires management to assign tasks so that each participating employee is given, to the maximum extent feasible, a fair and equitable chance to earn incentive pay. IRS, 14 F 77 [N]

6. Requiring a monetary award to an employee who has received an outstanding performance rating. Plum Island Disease Center, 16 F 114 [NN]

E. Negotiations

1. Negotiating critical elements and performance standards. Public Debt, 3 F 119 [NN]

2. Establishing performance standards by collective bargaining. OPM, 3 F 120 [NN]

3. Requiring that management bargain to impasse on the content of performance standards. St. Lawrence Seaway, 5 F 14 [NN]

4. Requiring the agency management to negotiate the substance of performance standards. FTC, 5 F 70 [NN]

5. Requiring the agency to negotiate over the formulation of the specific language of appropriate standards of ethical and other employee conduct within the agency before submitting them to OPM for approval. IRS, 6 F 98 [NN]

6. Requiring that the parties bargain to impasse on performance standards. FDIC, 7 F 34 [NN]

7. Negotiating the content of performance standards. Army Audio Visual Ctr, 7 F 80 [NN]

8. Requiring that particular performance standards and critical elements be established through negotiations. OPM, 7 F 88 [NN]

9. Requiring performance standards and critical elements to be "agreed to." OPM, 7 F 88 [NN]

10. Requiring formal negotiations concerning measures of performance to be established for employees in the bargaining unit. OPM, 7 F 88 [NN]

11. Proposals that would (a) require bargaining on critical elements, (b) set standards for critical elements, (c) require management to establish that all critical elements are, in fact, critical elements of the employee's job, and (d) permit the union to reopen the agreement in a year to negotiate critical elements. HHS, 7 F 115 [NN]

12. Requiring that the parties bargain to impasse with the union concerning the particular performance standards to be established for employees in the bargaining unit. Redstone Arsenal, 7 F 137 [NN]

13. Providing for negotiations over the development or revision of measures of performance and referral to the FSIP if agreement is not reached. VA, 9 F 86 [NN]

14. Requiring that management will not establish or implement median or basic requirement figures for position or replaced work (transferred work) until the full collective bargaining process on this subject is completed would require bargaining over performance standards for the positions in question. SSA, 9 F 122 [NN]

15. Prohibiting abolishing positions and redistributing the duties of abolished positions until both agency and employees agree on critical elements and performance for the positions receiving the duties. Fort Bliss, 9 F 145 [NN]

16. Requiring negotiations concerning the substance of performance standards for the position of Customs Aid. Customs Service, 11 F 47 [NN]

17. Requiring that performance elements and standards be developed by the parties, management and union. OPM, 14 F 2 [NN]

F. Notification/Participation

1. Prescribing only when employees shall be given a copy of the critical elements for their positions. FDIC, 7 F 34 [N]

2. Prescribing when copies of performance standards will be given to employees and that they will be in writing. FDIC, 7 F 34 [N]

3. Requiring that "studies" related to performance appraisal be conducted on typical workers under normal working conditions and that they are not be secret. FDIC, 7 F 34 [N]

4. Requiring that data derived from work studies to be provided to the union. FDIC, 7 F 34 [N]

5. Barring secret studies and requiring that studies be conducted on typical workers. Redstone Arsenal, 7 F 137 [N]

6. Requiring the agency to comply with the law to notify the employees as to what these elements are. Public Health Service, 13 F 112 [N]

7. Providing for a joint labor-management committee to develop performance expectations for benefit authorizer trainee and claims authorizer trainees, establishing interim quantitative and qualitative standards for those positions, and setting forth certain principles governing the implementation of the standards. SSA, 14 F 64 [NN]

8. Prohibiting secret studies bearing on performance standards, which require many studies to be conducted on average workers under normal working conditions, and which require management to provide the union the results of the studies. Military Ocean Terminal, 15 F 1 [N]

9. Allowing the union to have an observer present in the development or revision of measures of performance and studies. Military Ocean Terminal, 15 F 1 [NN]

10. Allowing the union to have an observer present in the development or revision of all measures of performance. Army Armor Center, Ft. Knox, 15 F 5 [NN]

11. Establishing a procedure for employee communications in the setting of standards. Philadelphia Naval Base, 15 F 9 [N]

12. Requiring that performance standards and elements be established under guidelines developed by a union-management panel. Keesler AFB, 16 F 49 [NN]

13. Giving the panel authority to resolve disputes between supervisors and employees over standards and elements. Keesler AFB, 16 F 49 [NN]

14. Requiring that the union will be allowed to have an observer present at the development and revision of performance standards. Plum Island Disease Center, 16 F 114 [NN]

15. Providing that production goals may not be translated into performance standards unless certain conditions are met. Plum Island Disease Center, 16 F 114 [NN]

G. Within-Grade Increase

1. Establishing certain production standards for job retention and within grade increases. Public Debt, 3 F 119 [NN]

2. Requiring that the standard of performance for job retention also be the standard for within-grade increases. Public Debt, 3 F 119 [NN]

3. Establishing a level of output which the agency must accept as satisfactory performance for retention and within-grade increase purposes. IRS, 11 F 58 [NN]

4. Setting the performance level for a within-grade increases. OPM, 16 F 127 [NN]

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POSITION DESCRIPTION/CLASSIFICATION

PROVISIONS/PROPOSALS

A. Classification Process

1. Seeking to establish the timing of a facility reclassification action. Transportation, 4 F 36 [N]

2. Allowing the union to have a representative on the Professional Standards Boards and the Position Management Committee. East Orange, VA Medical Center, 9 F 139 [NN]

3. Granting the union the right to representation on the Position Management Committee. VA, Data Processing Center, Austin, 11 F 77 [NN]

4. Providing for an employee's right to union representation in meetings with managment involving classsification matters, including desk audits. Action, 12 F 128 [N]

5. Providing for union representation during classification reviews. OPM, 15 F 158 [N]

B. Position Description

1. Requiring position descriptions be changed before employees are regularly assigned unrelated work. Dix-McGuire, 2 F 16 [N]

2. Requiring that union and affected employee receive amended PD four weeks before PD is implemented. IRS, 6 F 97 [N]

3. Requiring duties of an employee's position be modified to accommodate illness/injury. AF Contract Mgmt Div, 3 F 20 [NN]

4. Requiring that PDs be changed before unrelated duties are regularly assigned. Dix-McGuire, 2 F 16 [N]

5. Requiring the agency to avoid assigning duties to an employee which are not specified in or reasonably related to the employee's position description unless temporarily required by the temporary needs of the Service. INS, 8 F 75 [N]

6. Preventing management from making any changes in PD of professional employees that did not reflect professional levels of work. Lowry AFB, 9 F 20 [NN]

7. Requiring that employees will receive instructions and make reports through established channels as described in pertinent position descriptions. Redstone Arsenal, 10 F 74 [N]

8. Connecting the work assigned to the position description. IRS, 13 F 9 [N]

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REDUCTION IN FORCE

PROVISIONS/PROIVISIONS

A. Bumping/Retreat Rights

1. Applying an intra-subgroup bumping proposal to nonunit as well as unit employees. NASA, 8 F 46 [NN]

2. Requiring that first consideration on any reassignment or bumping right or separation during a RIF be based on skill requirements and total length of service as a nonappropriated fund employee. Warner Robins AFB, 8 F 116 [N]

3. Obligating management to provide a non-appropriated fund employee, affected by a RIF, reversion rights to all positions previously held by such an employee and all intervening positions in the unit on the basis of seniority. Patuxent River Naval Air Station, 9 F 147 [NN]

4. Seeking to apply bumping and displacement rights into the bargaining unit to technicians who are excluded from the bargaining unit. Air National Guard, 11 F 88 [NN]

5. Obligating the agency to provide an employee affected by a RIF reversion rights to various positions in the unit on the basis of seniority. Marine Corps Exchange, 12 F 103 [NN]

6. Extending to Trust Fund employees the same retreat and bumping rights of the competitive service. GSA, 12 F 104 [N]

B. Competitive area

1. Requiring that competitive area for RIF purposes that would include nonunit employees. National Guard, 9 F 81 [NN]

2. Prohibiting the placement in bargaining unit positions in a RIF of employees from outside the bargaining unit. LOC, 9 F 104 [NN]

3. Requiring certain competitive areas for RIF purposes. HHS, 11 F 53 [N]

4. Requiring the agency to bargain concerning competitive areas to be used in the event of a RIF. GSA, 11 F 54 [N]

5. Requiring certain competitive areas for RIF purposes. HHS, 11 F 55 [N]

6. Requiring certain competitive areas for RIF purposes. HHS, 11 F 56 [N]

7. Limiting the competitive are for RIF purposes to bargaining unit employees. Air National Guard, 14 F 6 [N]

8. Requiring competitive area for RIF purposes that includes both unit and nonunit employees. OPM, 14 F 98 [NN]

9. Seeking to define a competitive area encompassing non-bargaining unit employees within the agency for purposes of RIF. Interior, 15 F 151 [NN]

10. Applying competitive area to bargaining unit positions only. K.C. Corps of Engineers, 16 F 18 [NN]

C. Filling positions

1. Compelling management to assign an employee (who as a result of a RIF has assignment rights to more than one position) to the position preferred by the employee. AFLC, 2 F 77 [NN]

2. Requiring the use of vacancies "to the maximum extent possible" to place employee in a RIF in light of a provision in the proposal that the RIF "will be carried out in strict compliance with applicable laws and regulations". Mather AFB, 8 F 37 [N]

3. Requiring that in the event of a RIF existing vacancies within the bargaining unit will be utilized to place employees into positions for which they qualify or for which they can be trained in a minimum period of time without disrupting the mission of the nonappropriated fund. Warner Robins AFB, 8 F 116 [NN]

4. Requiring the use of bargaining unit vacancies to place employees in a RIF. Warner Robins AFB, 8 F 116 [NN]

5. Requiring that where management has determined that vacant positions are to be filled within three months from the date of a RIF action, management shall place employees released from their competitive levels in these vacant positions for which they are qualified within their competitive areas and that an employee shall be assigned to a vacancy by waiving qualification requirements when the employee has the capacity, adaptability and special skills required by the position (except for positive education requirements which may not be waived in any case), would require that employees demoted through no fault of their own be selected for available vacancies for which they were qualified. Customs Service, 9 F 138 [NN]

6. Requiring the agency to offer employees affected by a RIF all vacant positions that the agency deems may be filled in order to afford the employees an opportunity to remain rather than be displaced. Montana Air National Guard, 11 F 88 [NN]

7. Requiring the agency to select a former employee who had been RIF'd, if the employee is retrainable to the position being filled. Montana Air National Guard, 11 F 88 [NN]

8. Requiring the use of seniority in filling vacancies during a RIF. DLA, 14 F 91 [NN]

9. Requiring management to use vacancies to the maximum extent possible to place employees who would otherwise be separated in a RIF. Marshals Service, 15 F 71 [N]

D. Furlough/Layoff/Re-employment

1. Establishing a ranking method or procedure requiring the agency to furlough WAE employees in order of rank based on the criteria set forth. IRS, 7 F 42 [NN]

2. Requiring management to select repromotion eligibles in retention order after a RIF as vacancies occur. Navy Supply Center, 8 F 6 [NN]

3. Requiring the agency to layoff particular employees in a RIF, e.g., those who volunteer from the area affected. Air National Guard, 11 F 88 [NN]

4. Requiring the repromotion of employees who have been demoted as a result of a RIF. SSA, 11 F 92 [NN]

5. Establishing retention register procedures for reemploying technicians released in a RIF. Pennsylvania Army and Air National Guard, 14 F 6 [NN]

6. Requiring management to defer a furlough of a WAE employee for up to six months when the employee is within six months of qualifying for retirement. IRS, 14 F 45 [NN]

E. Hiring Freeze

1. Requiring a temporary freeze on outside hiring once a general RIF notice is posted. Montana Air National Guard, 11 F 88 [NN] Reversed in ACT, Montana Air Chapter v. FLRA, 756 F.2d 172 (D.C. Cir. 1985).

2. Requiring the agency to negotiate on the imposition of a freeze on hiring from outside in connection with a realigment of the workforce. Army Material Devleopment and Readlines Command, 3 F 97 [NN]

3. Requiring in transfer of function that all vacancies in the bargaining unit will be frozen until affected employees have the chance to request assignments at their same or lower grades, have received responses from the agency, and have indicated whether they will accept or decline to transfer with the function. Griffiss AFB, 8 F 93 [NN]

F. Notification

1. Requiring a 120 day notice of RIF or reorganization to permit impact and implementation bargaining . Food Safety and Quality Service, 8 F 25 [N]

2. Requiring that management notify the union of any impending RIF or reorganization at least 120 days in advance of notification to employees with sufficient information in order to allow the union time to negotiate the impact and/or procedures; that the union notify management within 15 days as to whether it wishes to negotiate the impact of the RIF, and that management meet within 15 days after such request to negotiate the impact and/or procedures of the RIF. Agriculture, 8 F 25 [N]

3. Requiring management to notify the union of its intent to solict bids for contract work which could result in a RIF or transfer or abolition of a function affecting employees in the unit. EEOC, 10 F 1 [N]

G. Performance

1. Establishing a range of points to be used in rating employees performance for the purpose of RIF actions. Pennsylvania National Guard, 3 F 8 [N]

2. Requiring RIF retention standing for civilian technicians be based solely on civilian appraisals, grade, length of service. Neb. Natl Guard, 7 F 12 [NN]

3. Requiring that a technician's retention standing in a RIF would be based solely on the technician's current civilian performance appraisal. Nebraska National Guard, 7 F 111 [NN]

4. Establishing displacement rights in a RIF situation by precluding consideration of both civilian technician and military job performance. Montana Air National Guard, 11 F 88 [NN]

5. Adding four years to an employee's creditable service for RIF purposes if the employee receives an outstanding rating in a single critical element. OPM, 16 F 127 [NN]

H. Stays

1. Requiring an agency to delay implementing a RIF until any agency allegation of nonnegotiability based on agency rule or regulation is resolved by the FLRA. HHS, 11 F 53 [N]

2. Staying a RIF pending an appeal by an employee to MSPB claiming a questionable or otherwise prohibited personnel practice or action. HUD, 15 F 97 [N]

I. Use of seniority

1. Requiring seniority, as listed on the tenure lists of competitive areas, to be the sole determinant of which employees would be affected by a RIF. Montana Air National Guard, 11 F 88 [NN]

2. Limiting creditable service to Federal service. Air National Guard, 14 F 6 [NN]

3. Requiring the agency to offer vacancies of the Monday through Friday shift during RIF to the most senior employee in the same job title, series and grade on any irregular shift. DLA, 14 F 91 [NN]

J. Miscellaneous

1. Stating that "the number and grade of positions to be transfered (in a transfer of function) are negotiable". GSA, 9 F 108 [NN]

2. Requiring that in the event of a RIF, all positions filled by other than career or permanent technician employees be vacated and made available to career or permanent technicians being displaced thereby compelling management to remove certain employees. National Guard, 11 F 81 [NN]

3. Requiring that the agency give assurances to bargaining unit employees that the negotiated technician RIF procedure will be the sole method used in carrying out a RIF. Air National Guard, 11 F 88 [NN]

4. Establishing retention registers, reemploying technicians released in RIF, and the grievability of RIF actions. Air National Guard, 14 F 6 [NN]

5. Setting specific period in a RIF at 30 days which may be extended. Farmers Home Administration, 16 F 111 [N]

6. Assisting in formulation of the RIF retention registers during the life of the RIF. Farmers Home Administration, 16 F 111 [NN]

7. Allowing RIF appeals not more than 15 days after the effective date. Alabama Air National Guard, 16 F 143 [N]

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REPRESENTATION RIGHTS

PROVISIONS/PROPOSALS

A. Information Disclosure

1. Granting employees and union officials essentially an uncontrolled right under the contract to photocopy agency investigation files containing privileged and confidential materials. NLRB, 5 F 95 [NN]

2. Requiring management to transmit to the union all documents it receives which contain information which relates or may relate to conditions of employment. San Dimas Equipment Center, Forest Service, 16 F 60 [NN]

3. Requiring the agency to provide the union with the names of employees selected for promotion to supervisory and management positions prior to announcement of their promotions. DLA, 16 F 110 [N]

B. Negotiations

1. Providing for a union representative to attend negotiations to take notes of official time and providing that up to three resource/observer employees may attend negotiating sessions on official time. EPA, 16 F 90 [N]

C. Investigation

1. Delaying an investigatory interview for no more than two workdays so that representation can be arranged. INS, 8 F 75 [N]

2. Affording employees representation before giving a written statement when such a statement is required. INS, 8 F 75 [N]

3. Prohibiting requirment that employee statements be given under oath in conflict-of-interest situations except where required by law. INS, 8 F 75 [NN]

4. Allowing an employee or representative to record an interview when management records it. INS, 8 F 75 [NN]

5. Granting an employee the right to representation when required to give information relating to another employee. INS, 8 F 75 [N]

D. Solicitation/Distribution

1. Giving union representatives, on offical time, the right to annually transmit to employees certain information on the union, and solict from employees certain personal information, through distribution of a form to unit employees. IRS, 6 F 97 [N]

2. Providing for membership solication during non-work time in non-work areas to the extent non-work time is that during which management has determined performance of a job function is not required. SSA, 8 F 85 [N]

E. Miscellaneous

1. Providing official time for an employee in one bargaining unit to represent employees in another. Scott AFB, 16 F 96 [NN]

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TRAINING

PROVISIONS/PROPOSALS

A. Minimum training

1. Specifying firearms training requirements. Marshals Service, 4 F 52 [NN]

2. Requiring annual weapons qualifications tests and quarterly practice opportunities. Marshals Service, 4 F 52 [NN]

3. Specifying the type, frequency, and duration of training to be assigned during work hours. FAA, 6 F 106 [NN]

4. Obligating the agency to train employees for other positions when they cannot perform duties requiring greater physical effort. SSA, 9 F 103 [N]

5. Requiring the agency to provide employees assigned to new positions with formalized training. SSA, 9 F 122 [N]

6. Specifying that an employee who is performing at a fully sucessful level will not be required to take any training. Fort Mommouth, 13 F 75 [NN]

7. Establishing specific training employees are to receive. Farmers Home Administration, 14 F 3 [NN]

8. Establishing the safety training employees are to receive. BIA, Colorado River Agency, 14 F 8 [NN]

9. Requiring the agency to give an employee training listed on the employee's IDP. OPM, 16 F 10 [NN]

10. Requiring the agency to provide employees necessary training including formal training. Plum Island Disease Center, 16 F 114 [NN]

B. Retraining for RIF

1. Requiring management to negotiate the establishment of retraining programs for employees in the event of a RIF so that they can meet qualification standards for reassignment to other positions. GPO, 8 F 35 [N]

2. Requiring the agency to provide training to employees to enable them to continue to perform "traditional" and "historical" work in the event of technological changes and which also requires management to continue assigning the work to those employees in the event of technological changes. GPO, 8 F 35 [NN]

3. Requiring the agency to assign formal training to bargaining unit employees where work has been eliminated or transferred to enable them to perform in a replacement "position of equivalent significance and grade value." SSA, 9 F 122 [NN]

4. Requiring that employees be given training to qualify for available positions and requiring employees perfroming in a substandard manner to be assigned other work at the same grade level before adverse action could be taken. Farmers Home Administration, 14 F 3 [NN]

C. Reimbursement of Cost

1. Permitting attorneys in the bargaining unit to attend continuing legal education courses during duty hours without loss of pay or charge to leave. IRS, 6 F 97 [NN]

2. Seeking reimbursement for costs incurred by attorneys in attending estate and gift taxation courses. IRS, 6 F 97 [NN]

D. Scheduling

1. Requiring that management "will endeavor" to schedule indoor training during the wintertime and outdoor training during the summertime. Mare Island Station 3 F 76 [N]

2. Requiring the agency to schedule training only during certain hours or on certain days of the normal 24-hour shifts comprising the workweek of the fire fighters involved. Vandenberg AFB, 7 F 122 [NN]

3. Requiring that training/drills for firefighters conducted after 1600 hours must be scheduled 30 days in advance. Laughlin AFB, 12 F 36 [NN]

E. Miscellaneous

1. Limiting management's right to assign training which is a regular part of fire fighting duties. Philadelphia Naval Shipyard, 3 F 66 [NN]

2. Authorizing the use of privately owned firearms for training. Marshals Service, 4 F 52 [NN]

3. Giving technicians the option being in a civilian or military status when taking training at military service schools. PA Adj Genl, 7 F 52 [N]

4. Requiring that training not interfere with an employee's participating in flexitime. SSA, 9 F 142 [NN]

5. Giving career or permanent employees first opportunity for positions in the bargaining unit to train for future vacancies. Naval Affairs, 11 F 81 [N]

6. Requiring on the job training to be performed by employees in a specified job at a specified grade. DLA, 12 F 19 [NN]

7. Proposing the establishment, membership and operation of a training committee. Army Publication Center, St.Louis, 14 F 69 [N]

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TRAVEL AND PER DIEM

PROVISIONS/PROPOSALS

A. Interest Payment

1. Requiring that no interest will be charged for delinquent repayment of travel advances. Army Engineer District, Kansas City, 10 F 95 [N]

2. Prohibiting the agency from collecting late payment charges from employees advanced monies in excess of expenses actually incurred when repayment becomes delinquent. Yongsan Army Garrison, 10 F 97 [N]

3. Requiring the agency to pay interest on travel and per diem payments disbursed more than 15 days after the travel voucher is submitted. Army Engineer District, Kansas City, 13 F 4 [NN]

B. Payments/Reimbursements

1. Not making assignments which would oblige an employee to incur or suffer dual lodging expenses in excess of the $50 per day unless there is an operating need to do so. NLRB, 3 F 81 [N]

2. Requiring mileage payment from residence to duty station other than employee's headquarters. Agriculture, 8 F 25 [N]

3. Requiring the reimbursment of commuting expenses incurred by employees who choose to commute rather than move closer to the installation's new location. IRS, 9 F 88 [NN]

4. Lifting an agency regulatory sixty day restriction on lodging and per diem allowances for employees assigned duty in a Corporation office. FDIC, 12 F 101 [N]

5. Requiring employees to travel outside normal duties hours to and from a site will be paid for their travel time. NRC, 13 F 13 [N]

6. Requiring the residences of certain employees to be considered their duty stations for the purpose of computing travel expenses. FHLBB, 13 F 80 [NN]

7. Requiring management to pay for moves of employees initiated at the employees'requests and for the employees' convenience. Panama Canal Commission, 13 F 87 [NN]

8. Requring the agency to reimburse employees for mileage expenses consistent with the FDIC regulations and requiring the agency to grant employee reimbursement under the Lodgings-Plus formula of the FDIC regulations. FDIC, 14 F 84 [N]

9. Requiring the agency to pay travel and per diem costs to employees taking CPA examinations. DCAA, 15 F 85 [NN]

C. Travel Status

1. Dealing with the designation of duty stations for the purpose of determining the travel status of bank examiners. FHLBB, 5 F 94 [NN]

2. Limiting travel away from the normal duty station to 35 calendar days except for training or unless the employee volunteers for a longer period. INS, 8 F 75 [NN]

3. Restricting employee travel to regular duty hours. FDIC, 12 F 101 [NN]

4. Placing employees in per diem status during travel outside normal duties hours to and from a site. NRC, 13 F 13 [N]

5. Requiring official time for any travel over one hour when an employee is on a commuting assignment. FHLBB, 13 F 80 [NN]

6. Requiring the agency to grant employees on detail away from their duty stations time during their regularly scheduled work time to travel to and from home for the weekend. FHLBB, 14 F 18 [NN]

7. Requiring compensatory time for travel to and from TDY locations outside normal work hours. Alabama Air National Guard, 16 F 143 [NN]

D. Union Representation

1. Requiring the agency pay the travel expenses of employees using official time under the agreement. Customs Service, 9 F 70 [N]

2. Providing travel and per diem for employees on officical time while engaged in impact bargaining and while bargaining supplemental agreements. VA, 9 F 138 [N]

E. Miscellaneous

1. Exempting unit employees from a requirement that they register their privately owned vehicles. Yongsan Garrison, 4 F 8 [N]

2. Requiring a guarantee that transferred employees will suffer no financial loss due to increased commuting transportation cost. GSA, 9 F 108 [NN]

3. Requiring that when civilian technicians are traveling they are assigned quarters based on their civilian grade rather than their military grade. National Guard, 13 F 37 [NN]

4. Allowing employees taking home leave to travel on commercial flights rather than on aircraft chartered by management. Panama Canal Commission, 13 F 87 [N]

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UNION SECURITY

PROVISIONS/PROPOSALS

A. Agency Shop

1. Requiring the agency to deduct from the wages of all bargaining unit employees an amount equal to the union's regular dues. Fort Shafter, 1 F 64 [NN]

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WORK SCHEDULE

PROVISIONS/PROPOSALS

A. Days Off

1. Guaranteeing that nurses will have every other weekend off. Minneapolis VA, 2 F 78 [NN]

2. Establishing rotating days off for certain employees. LOC, 14 F 12 [N]

B. Holiday

1. Listing eleven holidays, defined the working conditions, limited duties to be performed on these holidays, and included Saturday afternoon and Sundays as holidays. Philadelphia Naval Shipyard, 3 F 66 [NN]

2. Receiving a bonus for any work performed on Saturday, Sunday, or United States or Panamanian legal holiday. Panama Canal Commission, 13 F 87 [NN]

C. Shift

1. Setting forth absolute requirements governing the assignment of nurses to shifts without regard to personnel needs. Manhattan VA, 12 F 102 [NN]

2. Requiring management to consider and grant requests for assignment to prime shifts from employees assigned to second and third shifts under certain circumstances. IRS, 14 F 45 [N]

3. Requiring the agency to notify an employee two weeks or as far in advance as reasonably feasible of changes in shifts and duty hours. Interior, 14 F 52 [N]

4. Specifying that non-full time employees be relieved also by summer workers of night duty, that agency honor requests from them for change of hours in order of priority based on seniority. GSA, 14 F 76 [NN]

5. Requiring at least three days advance written notice of a change in an employee's basic work week or shift hours in an emergency. DLA, 14 F 91 [NN]

6. Preventing management from changing shift assignments so long as the composition and responsibilities of shifts remain unchanged. DLA, 14 F 91 [N]

7. Establishing for two specific employees a work schedule starting at 1:00 p.m. and ending at 9:30 p.m. Naval Observatory, 16 F 131 [NN]

D. Stand by

1. Allowing an employee to leave home while on standby. Butler VA, 12 F 76 [NN]

E. Miscellaneous

1. Restrictions on the kind, duration, and the scheduling of work. Mare Island Station, 3 F 76 [NN]

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MISCELLANEOUS

PROVISIONS/PROPOSALS

A. Collective Bargaining Agreement

1. Establishing that agreement provisions will prevail over Government-wide or other rules or regulations issued after the agreement. Customs Service, 9 F 138 [N]

2. Establishing the anniversary date of an agreement. PCC, 11 F 29 [N]

3. Requiring that any conflict between the agreement and the master agreement or nongovernmentwide regulations will be resolved by relying on the terms of the agreement. IRS, 13 F 93 [N]

4. Establishing that agreement provisions will prevail over subsequently issued Government-wide rules and regulations. IRS, 14 F 45 [N]

5. Requiring the agency to begin bargaining on ground rules. EPA, 15 F 96 [N]

B. Committee

1. Prescribing the size of bargaining committee. Orlando Naval Trng Ctr, 3 F 14 [NN]

2. Providing for union appointed members on a board which judges allegations of traffic violations. Army Garrison, Yongsan, 15 F 25 [NN]

C. Financial Obligation

1. Prohibiting the agency from requiring financial disclosure statements from employees below GS-16 who are not political appointees. FDIC, 12 F 101 [NN]

2. Establishing criteria and procedures for determining a certifying officer's liability and shifting the financial liability for errors from the certifying officer to the agency. IRS, 14 F 15 [NN]

3. Requiring the agency to waive any repayment obligation when an IPA assignment is terminated by management direction. HUD, 14 F 66 [N]

4. Suspending the collection of indebtedness to the government pending final action on requested waivers. Army, Dover, 15 F 129 [NN]

D. Grooming Standards

1. Requiring adherence to grooming standards to ensure immigration officers are recognized as representatives of the agency. INS, 8 F 75 [NN]

2. Providing for grooming standards, provided they do not conflict with the agency objective. INS, 8 F 75 [N]

E. Time Cards/Clock

1. Unit employees may fill out time cards manually rather than through the use of a time clock. Charleston Naval Shipyard, 13 F 81 [N]

F. Others

1. Dealing with the military aspects of technician employment. PNG, 3 F 8 [NN]

2. Informing the taxpayer at the beginning of the conversation that the call is subject to monitoring. IRS, 6 F 98 [NN]

3. Providing all legal and regulatory requirements are complied with, the employer agrees to honor political action fund contribution deduction authorizations from bargaining unit employees. FAA, 6 F 106 [NN]

4. Designating a unit as a combat unit. UNG, 7 F 116 [NN]

5. Prohibiting the disclosure to complaining member of the public of the identity of employee involved. Customs Service, 8 F 1 [NN]

6. Prohibiting employee statements under oath in conflict-of-interest situations except where required by law. INS, 8 F 75 [NN]

7. Concerning efforts by the agency to recycle paper and to use recycled paper. SSA, 13 F 73 [NN]

8. Concerning radio transmitting and monitoring at a pilot duty station. Panama Canal Commission, 13 F 87 [NN]

9. Concerning radio equipment to be used on launches. Panama Canal Commission, 13 F 87 [NN]

10. Prohibiting the possession of a license as a qualification requirement. DLA, 15 F 10 [NN]

11. Requiring that dissents to technical decisions will be stored in agency files for 20 years. San Dimas Equipment Center, 16 F 60 [NN]

12. Concerning the way report authors are listed and the use of academic titles. San Dimas Equipment Center, 16 F 60 [NN]

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